

**PARKS AND RECREATION FACILITIES
SYSTEM DEVELOPMENT CHARGES
UPDATE METHODOLOGY REPORT
July 17, 2000**

**Don
Ganer &
Associates**

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CITY OF KEIZER

Parks and Recreation Facilities System Development Charges Update Methodology Report

1.0 INTRODUCTION

System Development Charges are fees charged to new development to help pay a portion of the costs associated with acquiring and/or building capital facilities to meet the needs of growth. The 1989 Oregon Systems Development Act (ORS 223.297 - 223.314) authorizes the collection of SDC's for certain types of facilities including:

- transportation,
- water,
- wastewater (sewer),
- stormwater, and
- parks and recreation.

The purpose of the SDC Act was to "...provide a uniform framework for the imposition of system development charges...". The Act requires local governments to:

- enact SDC's by ordinance or resolution,
- develop a methodology outlining how each SDC is developed,
- adopt a capital improvement program (CIP) designating the estimated cost and timing of each project that may be funded with SDC revenues,
- provide credits against SDC's for "qualified public improvements",
- separately account for SDC revenues and expenditures, and
- adopt procedures for public challenges of expenditures.

The City of Keizer implemented a Parks SDC in 1992. Since that time, cost increases, changes in population estimates, and the U.S. Supreme Court decision in *Dolan v. City of Tigard* have caused the Parks SDC to become outdated. In January 2000, the City engaged Don Ganer & Associates to update the Parks SDC methodology and rates, and provide guidelines for the expenditure of SDC revenues.

2.0 SDC BACKGROUND AND DATA

This section presents background information and data used to develop the SDC. In particular, this section of the report:

- A. Discusses guiding concepts used in developing SDC's,
- B. Explains what is meant by the terms "reimbursement fee" and "improvement fee" SDC's,
- C. Presents the methodology approach used to update the Parks and Recreation SDC,
- D. Analyzes credits,
- E. Presents growth projections and summarizes census data regarding persons per dwelling unit,
- F. Identifies current Levels of Service (LOS), and
- G. Presents growth required facility needs.

A Guiding Concepts

In addition to the requirements of the ORS 223.297 - 223.314, court cases from Oregon and other states provide additional guidance for the methodology used in developing SDC's.

(1) "Essential Nexus" Requirement

In a 1987 case, *Nollan v. California Coastal Commission*, the U.S. Supreme Court established that government agencies must show that an "essential nexus" (e.g. reasonable connection) exists between a project's impacts and any dedication requirements. For SDC's the "essential nexus" requirement means there must be a reasonable connection between the nature of the development and the facilities being funded with the SDC revenues. If, for example, parks and recreation facilities are required to meet the needs of new development, an SDC methodology designed to fund the new capacity needed to serve new development meets the "essential nexus" requirement.

(2) "Rough Proportionality" Requirement

In its landmark 1994 decision in *Dolan v. City of Tigard*, the U.S. Supreme Court cited the need for "rough proportionality" between requirements placed on a developer by government and the impacts of the development. This concept of rough proportionality is applied in SDC's by insuring that new growth is not required to pay to upgrade existing deficiencies or provide new facilities beyond a level "roughly proportionate" with the extent of new development's impact; SDC's can be charged only for the portion of capital facilities costs that are attributable to growth.

ORS 223.307(2) also requires that "the portion of improvements funded by improvement fees must be related [e.g., roughly proportionate] to current or projected development." The City's adopted Comprehensive Park System Development Plan and SDC methodology includes improvements that serve both growth and non-growth needs, and it does not identify which or what portion of the improvements is "related to current or projected development". This SDC methodology update includes SDC rates which are roughly proportionate to the impacts created by new development, and provides SDC revenue expenditure guidelines to promote compliance with ORS 223.307(2).

B "Reimbursement fee" and "Improvement fee" SDC's

The Oregon SDC Act provides for the imposition of two types of SDC's: (1) "improvement" fees, and (2) "reimbursement" fees. "Improvement fee" SDC's may be charged to fund acquisition and/or construction of new capital facilities that will be needed in the future, or to make improvements to existing capital facilities (i.e., additional tennis courts, expansion of playgrounds, etc.) which provide new "capacity" to accommodate growth. In order to maintain facilities at current levels of service (i.e., 1.2 acre per 1,000 persons for developed community parks, etc.), the City will need to add acres and develop parks to serve new development, and the City may charge improvement fee SDC's to fund all or a portion of the costs of these facilities.

If "excess capacity" is available to accommodate future growth, a "reimbursement fee" SDC may be charged to recoup the costs (including bonded indebtedness) associated with improvements which have already been acquired/constructed. The City does not currently have sufficient facilities to meet adopted standards; therefore, no excess capacity exists and a reimbursement fee SDC is not warranted.

C. SDC Methodology Approach

The three basic approaches used in developing SDC's are (1) Capital Projects-Driven, (2) Level of Service (LOS)-Driven, and (3) Combination.

(1) "Capital Projects-Driven" SDC's

Capital Projects-Driven SDC's are based on a specific list of planned capital improvements. The amount of the SDC is determined by allocating a portion of the cost of the planned improvements (the "fair share" that can be attributed to growth) among the projected developments that will be paying SDC's. This approach works best when individual public facilities can be allocated between current and future users on the basis of objective data, and when standards do not adequately allocate costs between these groups. Costs which are attributable to growth may be funded through SDC's, and remaining costs must be funded from non-SDC sources.

(2) "LOS-Driven" SDC's

LOS-Driven SDC's work best when individual facilities cannot be allocated between current and future users on the basis of objective data, and instead are provided on the basis of a levels of service. The SDC is determined by multiplying the LOS standard for each type of facility by the estimated cost per unit of facility. SDC's cannot be used to pay for eliminating deficiencies in the current LOS, or for providing a higher LOS than that which currently exists unless either (1) alternative revenue sources are identified to pay for eliminating existing deficiencies, or (2) the primary recipients of the higher LOS will be future residents.

(3) "Combination" SDC's

A "combination" approach uses elements of both the LOS-Driven approach and the Capital Projects-Driven approach. LOS standards are used to determine facility needs, identify deficiencies and excess capacity, and develop a list of capital improvement projects. The project costs then serve as the basis for calculating the SDC rates.

The Keizer Parks and Recreation SDC update was developed using the "LOS-Driven" approach. LOS standards were developed based on the current LOS, and the costs of maintaining this LOS were then used to determine SDC rates.

D. Credits

A credit is a reduction in the amount of the SDC which a development is required to pay, and must be calculated to account for (1) "qualified public improvements" and (2) other payments new development may make through property taxes or other means.

(1) "Qualified Public Improvement"

A credit must be given for the donation of a "qualified public improvement" which (1) is required as a condition of development approval, (2) is identified in the CIP, and (3) either is not located on or contiguous to property that is the subject of development approval, or is required to be built larger or with greater capacity than is necessary for the particular development project to which the improvement fee is related. The credit for a qualified public improvement may only be applied against an SDC for the same type of improvement (i.e., parks and recreation, etc.), and must be granted only for the cost of that portion of an improvement which exceeds the minimum standard facility size or capacity (LOS standard) needed to serve the particular project. For multi-phase projects, any excess credit may be applied against SDC's that accrue in subsequent phases of the original development project.

In addition to these required credits, the City may, if it so chooses, provide a greater credit, establish a system providing for the transferability of credits, provide a credit for a capital improvement not identified in the capital improvement plan, or provide a share of the cost of an improvement by other means. Any provisions for such credits must be applied uniformly to all new development.

In order for the City to charge growth an improvement fee SDC for 100% of the costs of new facilities required to serve growth, a credit must also be given for any costs that will be paid by growth in the future for existing capital facilities (included in the LOS standards) or future facilities needed to repair deficiencies. The City has no outstanding debt for existing parks and recreation capital facilities and the SDC is designed only to maintain the current LOS; therefore, no credit against the SDC for repayment of debt is required.

E. Population Growth and Persons per Dwelling Unit

The Parks and Recreation SDC is based on projected growth-required capital facility costs per "capita" (person). Estimated population growth from 2000 through 2010 is shown in Table 2.1, below.

TABLE 2.1
ESTIMATED POPULATION INCREASE
(2000 - 2010)

<u>Projected 2010 Population</u>	-	<u>Estimated 2000 Population</u>	=	<u>Est. Increase in Population</u>
37,000		30,276		6,724

The Parks and Recreation SDC is based on estimated capital facility costs per capita , with the SDC rates based on the number of persons per dwelling unit. Dwelling units typically house different numbers of persons depending on the type of unit (e.g., single family or multi-family). To determine the appropriate number of persons per dwelling unit, 1990 census data for the City of Keizer maintained by the Center for Population Research and Census at Portland State University was analyzed, and the resulting calculations are presented in Table 2.2, below.

TABLE 2.2
AVERAGE PERSONS PER DWELLING UNIT

<u>Type of Dwelling Unit</u>	<u>1990 Census Avg. Persons Per Dwelling Unit</u>
Single Family	2.82
Multi-Family	2.00

F. Facilities Inventory and Levels of Service

The City provides a total of 97.1 acres of parks and recreation facilities, resulting in a total Level of Service (LOS) of 3.2 acres per 1,000 persons. Included in this total are 36.20 acres of developed Community Parks (1.2 acres per 1,000 persons), 16.10 acres of developed Neighborhood Parks (0.5 acres per 1,000 persons), and 22.90 of undeveloped/partially developed parks (0.8 acres per 1,000 persons). Following are photographs showing examples of these facilities in the City.



Developed Community Park



Developed Neighborhood Park



Undeveloped Park

In addition to these developed and undeveloped parks, the City also has 21.90 acres of Natural Area Parks (0.7 acres per 1,000 persons).



Natural Area Park

The City's parks and recreation facilities inventory and levels of service are shown in Table 2.3, below.

TABLE 2.3
PARKS AND RECREATION FACILITIES
CURRENT INVENTORY AND LEVELS OF SERVICE (LOS)

<u>Developed Community Parks</u>	<u>Acres</u>	<u>LOS/1,000 persons</u>
Claggett Park	10.80	
Keizer Little League Park	16.70	
City Hall Complex/Chalmer-Jones Park	<u>8.70</u>	
sub-total	36.20	1.2
<u>Developed Neighborhood Parks</u>		
Wilark Park	8.40	
Willamette Manor Park	2.10	
Northview Park	2.10	
The Meadows Park	<u>3.50</u>	
sub-total	16.10	0.5
<u>Undeveloped/Partially Developed Parks</u>		
Mike Whitman Park	5.00	
Fernwook Park	0.90	
Pleasantview Park	2.50	
Clear Lake Park	5.00	
Country Glen Park	5.00	
Bair Park	2.00	
Hidden Creek Park	<u>2.50</u>	
sub-total	22.90	0.8
<u>Natural Area Parks</u>		
Palma Cia Park	0.80	
Sunset Park	1.20	
Rivers Edge Park	10.30	
North Ridge Park	<u>9.60</u>	
sub-total	21.90	0.7
Combined Total	<u>97.10</u>	<u>3.2</u>

The City's Comprehensive Park System Development Plan includes recommended standards¹ for parks acreages of 2.2 acres of developed Community Parks, 1.3 acres of developed Neighborhood Parks, and 5.8 acres of Natural Area Parks per 1,000 persons. In order for the City to charge SDC's at rates required to meet the adopted standards, the City must either already provide facilities at standard or have a viable plan for how it will remedy the deficiency using a funding source not associated with growth. To meet these standards, the City would need to acquire/develop an additional 34.61 acres of Community Parks, 23.26 acres of Neighborhood Parks, and 153.70 acres of Natural Area Parks *just to correct current deficiencies in parks acreages*.

As an alternative to using the standards included in the Plan, the current Levels of Service (LOS) identified in Table 2.1 (page 6) may serve as alternative LOS standards by which growth-related facility needs may be determined.

G. Facilities Needed to Serve Growth

To determine the City's growth-required needs, the current LOS for each type of facility (i.e., Developed Community Park acres, Developed Neighborhood Park acres, etc.) was applied to the projected 2010 population of the City. The City's population is expected to grow by 6,724 residents by the year 2010, when it is expected to reach 37,000². Table 2.4, below, presents a summary of *additional* needed facilities resulting from application of these LOS standards.

TABLE 2.4
ADDITIONAL FACILITIES NEEDED TO SERVE GROWTH
(2000 - 2010)

<u>Facility Type</u>	<u>Current LOS</u>	<u>Growth- Required Units</u>
Developed Community Parks (acres)	1.2	8.04
Developed Neighborhood Parks (acres)	0.5	3.58
Undeveloped/Partially Developed Parks (acres)	0.8	5.09
Natural Area Parks (acres)	<u>0.7</u>	<u>4.86</u>
Total City Parks System (acres)	3.2	21.56

¹ Comprehensive Park System Development Plan, *otak*, May 7, 1992, Tab 1

² City staff projection estimate.

3.0 CALCULATION OF PARKS AND RECREATION SDC

The updated Keizer Parks and Recreation SDC was calculated using a series of sequential formulas which, when completed, yields the SDC rate for each new dwelling unit in the City. The formulas identify:

- A. the total growth-required parks and recreation facilities costs (Formula 1, below),
- B. the facilities cost per new resident (Formula 2, page 12),
- C. the compliance and administrative cost per new resident (Formula 3, page 12),
- D. the total facilities cost per new resident (Formula 4, page 13), and
- E. the SDC rate per dwelling unit (Formula 5, page 13).

A. Formula 1: Total Growth-Required Facilities Costs

The total growth-required parks and recreation facilities costs are determined by adding the products resulting from multiplying the number of units required to meet growth needs (from Table 2.2, page 6) by the cost per unit of facility.

$$\begin{array}{rcccl}
 1. & \text{Growth-} & & \text{Cost} & & \text{Growth-} \\
 & \text{Required} & \times & \text{Per} & = & \text{Required} \\
 & \text{Units} & & \text{Unit} & & \text{Facilities} \\
 & & & & & \text{Costs}
 \end{array}$$

Table 3.1, below, presents the calculation of the growth-required facilities costs.

TABLE 3.1
GROWTH-REQUIRED FACILITIES COSTS

<u>Facility Type</u>	<u>Growth-Required</u> <u>Units</u>	X	<u>Cost</u> <u>Per</u> <u>Unit</u> ³	=	<u>Growth-Required</u> <u>Facilities</u> <u>Costs</u>
Developed Community Parks (acres)	8.04		\$ 95,000		\$ 763,800
Developed Neighborhood Parks (acres)	3.58		125,000		447,500
Undeveloped/Natural Area Parks (acres)	<u>9.95</u>		70,000		<u>696,500</u>
Total Growth-Required Units (acres)	21.57				\$ 1,907,800

³ Undeveloped/Natural Area land acquisition cost estimate is \$70,000 per acre. Developed Community Parks cost estimate is based on undeveloped land cost plus \$25,000 per acre for development. Developed Neighborhood Parks cost estimate is based on undeveloped land cost plus \$55,000 per acre for development. Cost estimates provided by City staff.

B. Formula 2: Facilities Cost Per New Resident

The facilities cost per new resident is calculated by dividing the growth-required facilities costs (from Table 3.1, page 11) by the expected increase in the City's population during the planning period (from Table 2.1, page 6).

$$2. \quad \begin{array}{l} \text{Growth-Required} \\ \text{Facilities Cost} \end{array} \quad \div \quad \begin{array}{l} \text{Population} \\ \text{Increase} \end{array} \quad = \quad \begin{array}{l} \text{Facilities Cost} \\ \text{Per New Resident} \end{array}$$

Table 3.2, below, presents the calculation of the facilities cost per new resident.

TABLE 3.2
FACILITIES COST PER NEW RESIDENT

<u>Growth-Required Facilities Costs</u>		<u>Population Increase</u>		<u>Facilities Cost Per New Resident</u>
\$ 1,907,800	÷	6,724	=	\$ 284

C. Formula 3: Compliance/Administration Cost Per New Resident

ORS 223.307(5) allows the City to recoup the direct costs of complying with Oregon law regarding SDC's. Recoupable costs include consulting, engineering, and legal fees as well as the cost of collecting and accounting for revenues and expenditures. The compliance/administration cost is estimated to total 10% of collected SDC revenues. The compliance/administration cost per new resident is determined by multiplying the facilities cost per new resident by this cost factor (10%):

$$3. \quad \begin{array}{l} \text{Facilities Cost} \\ \text{Per New Resident} \end{array} \quad \times \quad \begin{array}{l} \text{Compliance/Admin.} \\ \text{Cost Factor} \end{array} \quad = \quad \begin{array}{l} \text{Compliance/Admin.} \\ \text{Cost Per New Resident} \end{array}$$

Table 3.3, page 14, presents the calculation of the compliance cost per new resident.

TABLE 3.3

COMPLIANCE/ADMINISTRATION COST PER NEW RESIDENT

<u>Facilities Cost</u> <u>Per New Resident</u>	X	<u>Compliance/Admin.</u> <u>Cost Factor</u>	=	<u>Compliance/Admin</u> <u>Cost Per New Resident</u>
\$ 284		10%		\$ 28

D. Formula 4: SDC Per New Resident

The SDC Per New Resident represents the amount of revenue required for each new resident in order to pay the growth-required costs. The calculation is completed by adding the facilities cost per new resident (from Table 3.2, page 12) and the compliance/administration cost per new resident (from Table 3.3, above).

4. Facilities Cost + Compliance/Admin. = SDC Per
 Per New Resident Cost Per New Resident New Resident

The result of this calculation is presented in Table 3.4, below.

TABLE 3.4

SDC PER NEW RESIDENT

<u>Facilities Cost</u> <u>Per New Resident</u>	+	<u>Compliance/Admin</u> <u>Cost Per New Resident</u>	=	<u>SDC Per</u> <u>New Resident</u>
\$ 284		\$ 28		\$ 312

E. Formula 5: SDC Per Dwelling Unit

The SDC Per Dwelling Unit is calculated by multiplying the average number of persons per dwelling unit (from Table 2.2, page 6) by the SDC Per New Resident (from Table 3.4, above).

5. Persons Per X SDC Per = SDC Per
 Dwelling Unit New Resident Dwelling Unit

The result of this calculation is presented in Table 3.5, page 15.

TABLE 3.5
SDC PER DWELLING UNIT

<u>Type of Dwelling Unit</u>	<u>Persons Per Dwelling Unit</u>	X	<u>SDC Per New Resident</u>	=	<u>SDC Per Dwelling Unit</u>
Single Family:	2.82		\$ 312		\$ 880
Multi-Family:	2.00		\$ 312		\$ 624

The SDC rates identified in Table 3.5, above, are the maximum dollar amounts (in year 2000 dollars) that may be collected from new development for costs related to growth-required parks capital improvements. These costs are based on the expected number of "growth-required units" needed for each type of facility (i.e., community parks, neighborhood parks, etc.) during the period 2000 through 2010. For comparison, the parks SDC rates⁴ currently charged by a selection of other area Oregon cities are presented in Table 3.6, below.

TABLE 3.6
PARKS SDC RATES FOR OTHER AREA CITIES

<u>City</u>	<u>Single-Family Rate</u>	<u>Multi-Family Rate</u>
Salem	2,275	1,487
Wilsonville	2,025	1,533
Albany	1,832	916
Portland	1,479	953
Tualatin	1,400	1,400
Canby	1,348	694
Tigard	1,050	540
McMinnville	1,000	1,000
Oregon City	955	670
Sherwood	841	841
Woodburn	762	1,109

⁴ Current as of November 1999
Don Ganer & Associates

4.0 SDC EXPENDITURE GUIDELINES

ORS 223.307(2) requires that improvement fee SDC's "be spent only on capacity increasing capital improvements, including expenditures relating to repayment of debt for such improvements. An increase in system capacity may be established if a capital improvement increases the level of performance or service provided by existing facilities or provides new facilities."

ORS 223.307(2) also requires that "the portion of improvements funded by improvement fees must be related to current or projected development." This means that revenues from improvement fee SDC's may be used only for the portion of capital improvements that are needed for growth.

The City's adopted Comprehensive Park System Development Plan includes improvements that serve both growth and non-growth needs, but it does not identify which of the improvements is "related to current or projected development". Community Parks and Undeveloped/Natural Area Parks are considered to serve the entire City population, so SDC revenues collected for these facilities may be used to acquire and/or develop Community Parks and Undeveloped/Natural Area Parks anywhere within the City. Neighborhood Parks are generally considered to serve only the population living within approximately 1/2 mile of each park, and most of the City's neighborhood parks serve a combination of residences, including those which were in place when the City's parks SDC was adopted in 1992, and those which have been constructed since that time. To ensure that SDC expenditures are "related to current or projected development" in compliance with ORS 223.307(2), the portion of improvements that will primarily benefit growth must be determined.

A review of mapping data provided by City staff indicates that the percentages of growth (1992 - 2010) and non-growth (pre-1992) needs served by each neighborhood park are approximately as shown in Table 4.1 (page 17). Copies of the maps are included as an appendix to this report.

TABLE 4.1
NEIGHBORHOOD PARK PERCENTAGES
OF GROWTH-REQUIRED AND NON-GROWTH NEEDS

<u>Neighborhood Park</u>	<u>Growth-Required</u>	<u>Non-Growth</u>
Bair Park	80%	20%
Clear Lake Park	80%	20%
Country Glen Park	50%	50%
Fernwood Park	0%	100%
Hidden Creek Park	50%	50%
The Meadows Park	75%	25%
Mike Whitman Park	35%	65%
Northview Park	30%	70%
Pleasantview Park	35%	65%
Wilark Park	40%	60%
Willamette Manor Park	50%	50%

These percentages should be used as guidelines for the portion of total acquisition and development costs (adjusted for inflation) that may be paid with SDC revenues. These guidelines should be applied whenever the City updates the parks capital improvements project list. The Oregon SDC Act requires that this project list include the estimated cost and timing for each project on which SDC revenues are to be used.

The City may chose to use SDC revenues for any combination of acquisition and development costs, so long as the percentage of total costs paid with SDC's and development-required donations does not exceed the estimated growth-required portion. For example, suppose that ten years ago the City received a donation of land (unrelated to development), made initial improvements for a park, and plans to make additional improvements during the next ten years. If the land and improvements are valued (today) at \$100,000, and the City plans to spend an additional \$100,000 on development, the total acquisition and development cost for the park is \$200,000. If the growth-required percentage for this park was 50% or more, the entire \$100,000 in planned additional development costs could be paid from SDC revenues ($\$200,000 \times 50\% = \$100,000$). If the growth percentage was less than 50%, the amount payable from SDC's would be determined by multiplying the total costs (\$200,000) by the growth percentage.

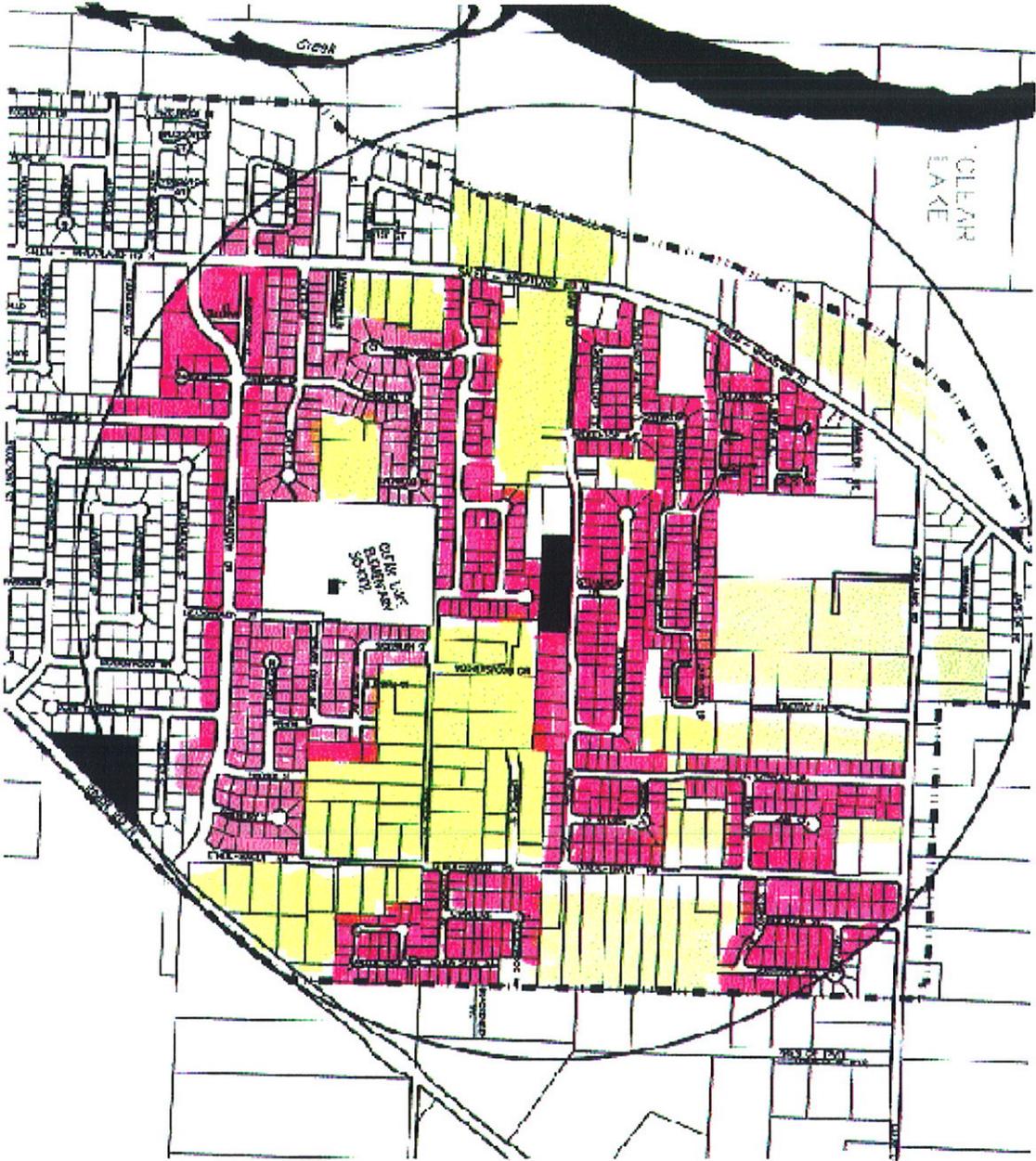
APPENDIX

NEIGHBORHOOD PARK SERVICE AREA MAPS

1. Bair Park
2. Clear Lake Park
3. The Meadows Park
4. Country Glen/Hidden Park
5. Wilark Park
6. Mike Whitman Park
7. North View Park
8. Pleasantview Park
9. Willamette Manor Park

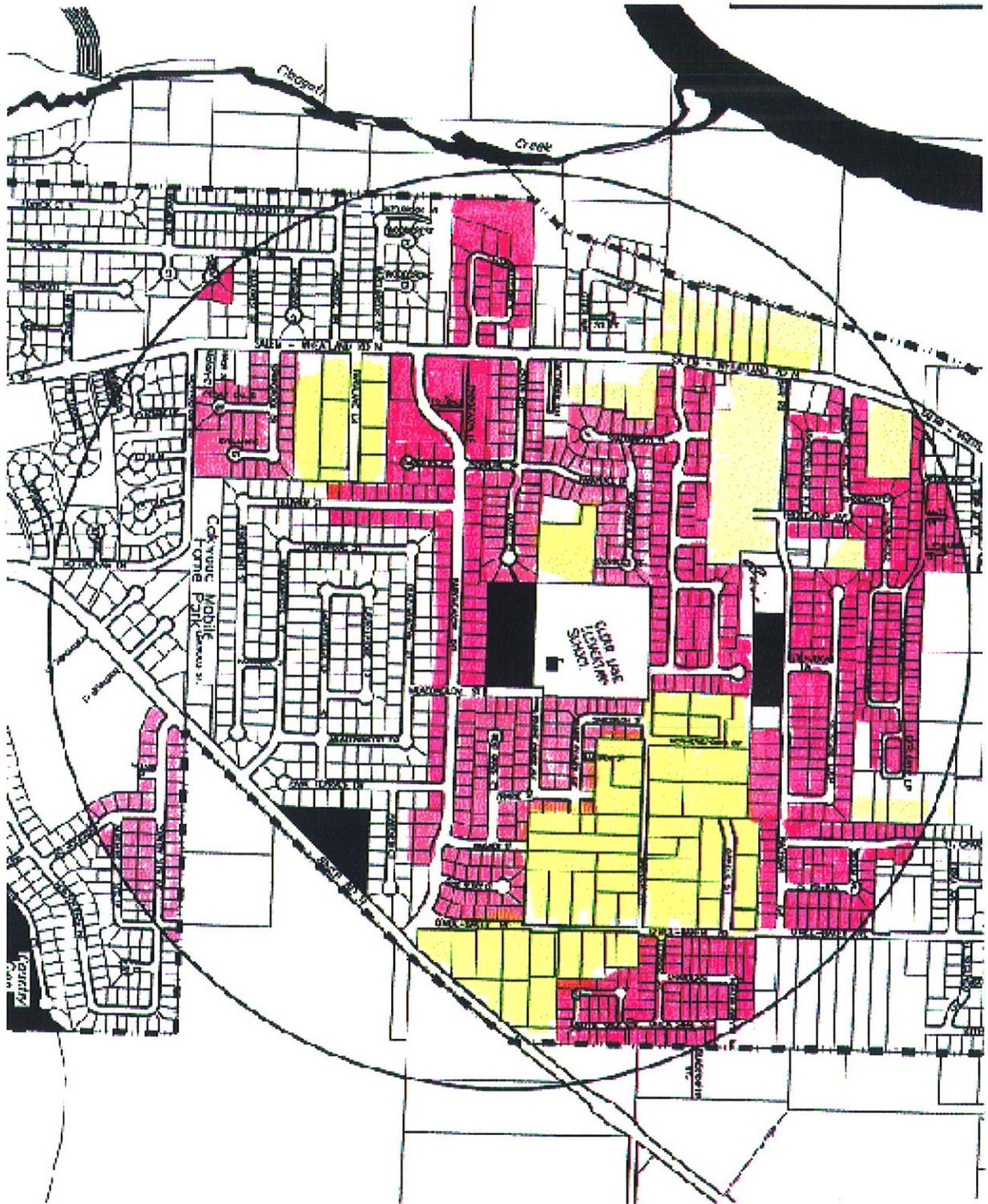
Note: No map is provided for Fernwood Park because the service area was developed prior to 1992, and no further development is planned.

1. Bair Park



Guide: Pink = developed between 1992 and 2000
Yellow = undeveloped with potential for development between 2000 and 2010
White = developed before 1992 or not planned for further development

2. Clear Lake Park

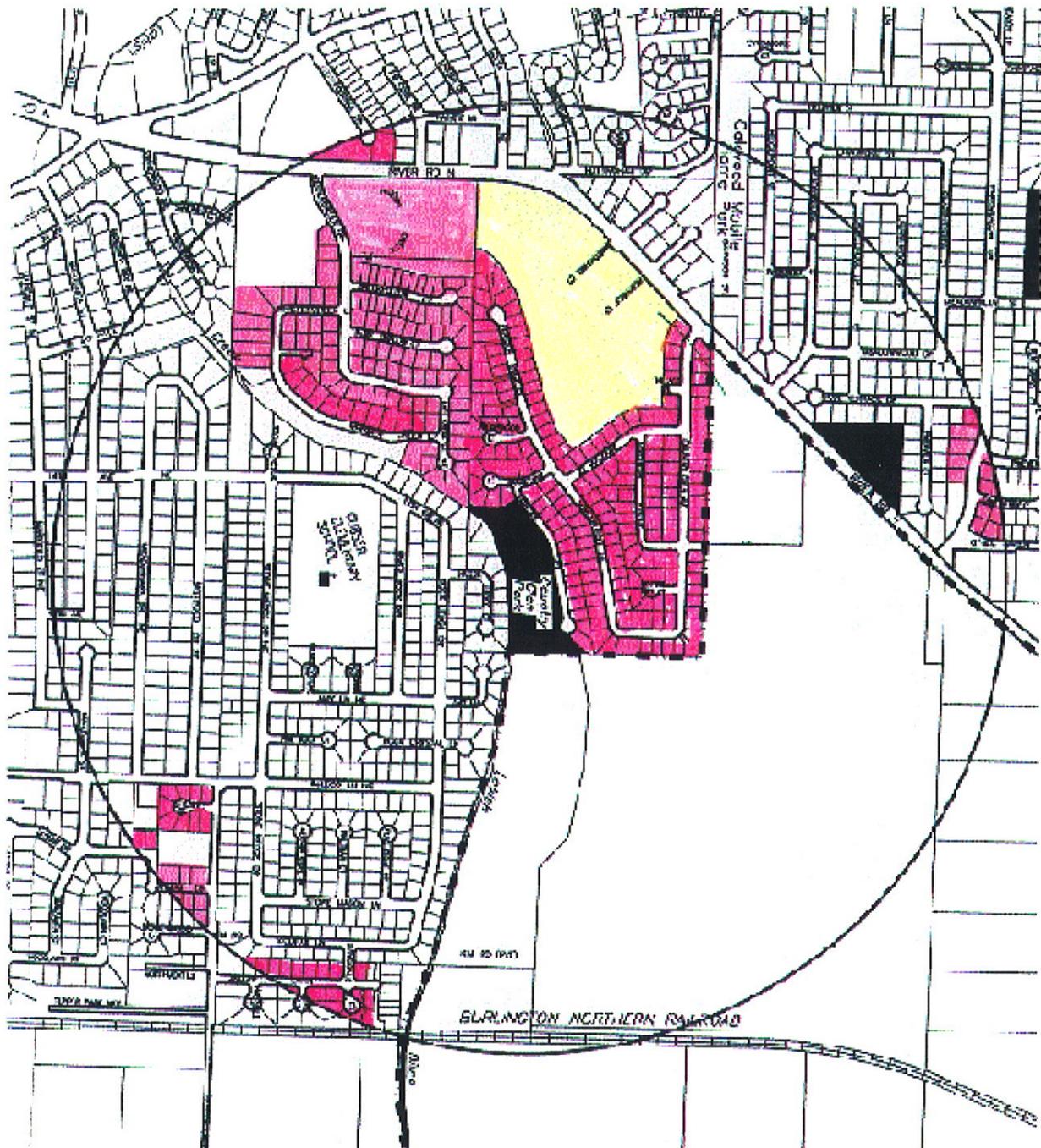


Guide: Pink = developed between 1992 and 2000

Yellow = undeveloped with potential for development between 2000 and 2010

White = developed before 1992 or not planned for further development

4. Country Glen/Hidden Park

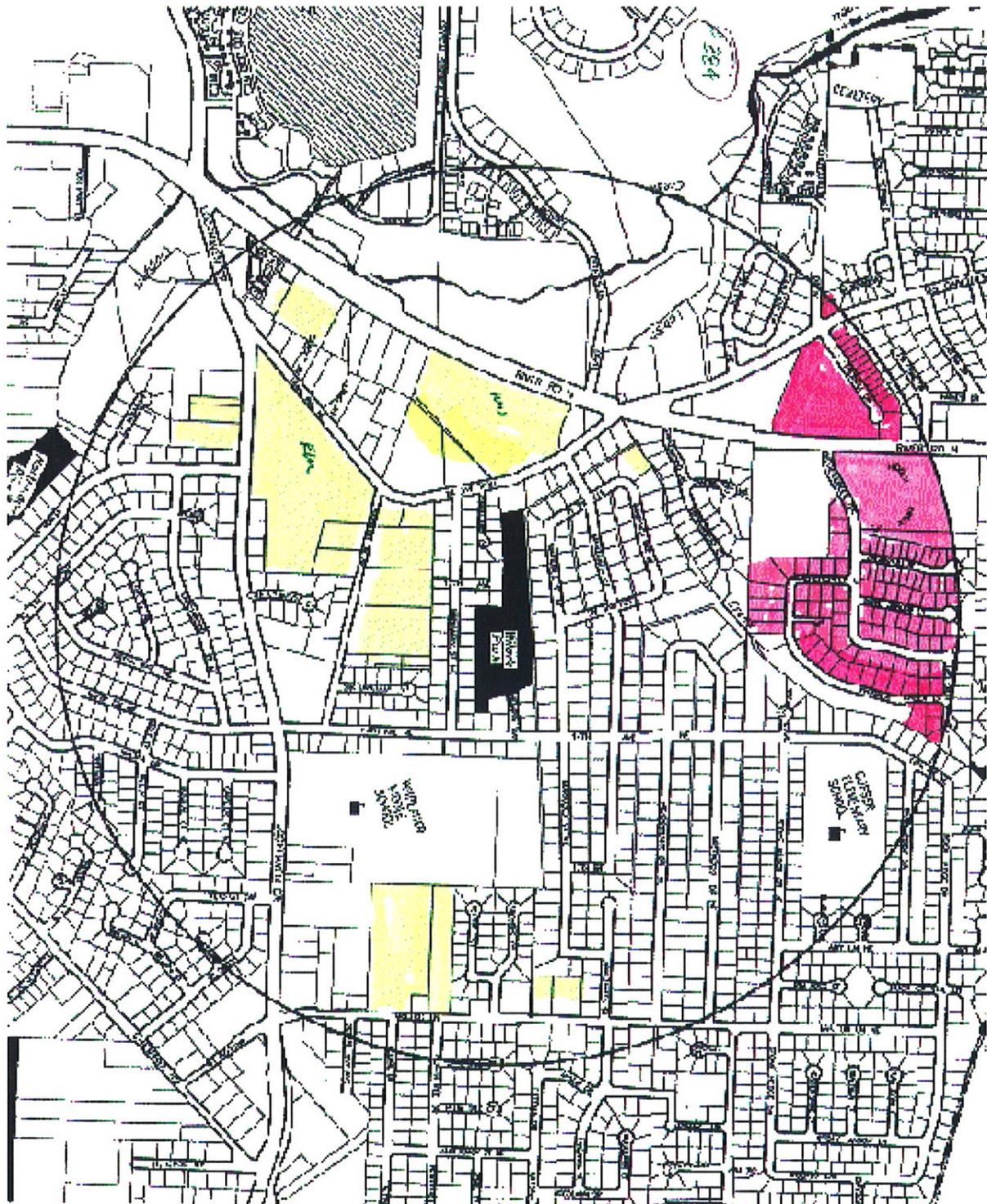


Guide: Pink = developed between 1992 and 2000

Yellow = undeveloped with potential for development between 2000 and 2010

White = developed before 1992 or not planned for further development

5. Wilark Park

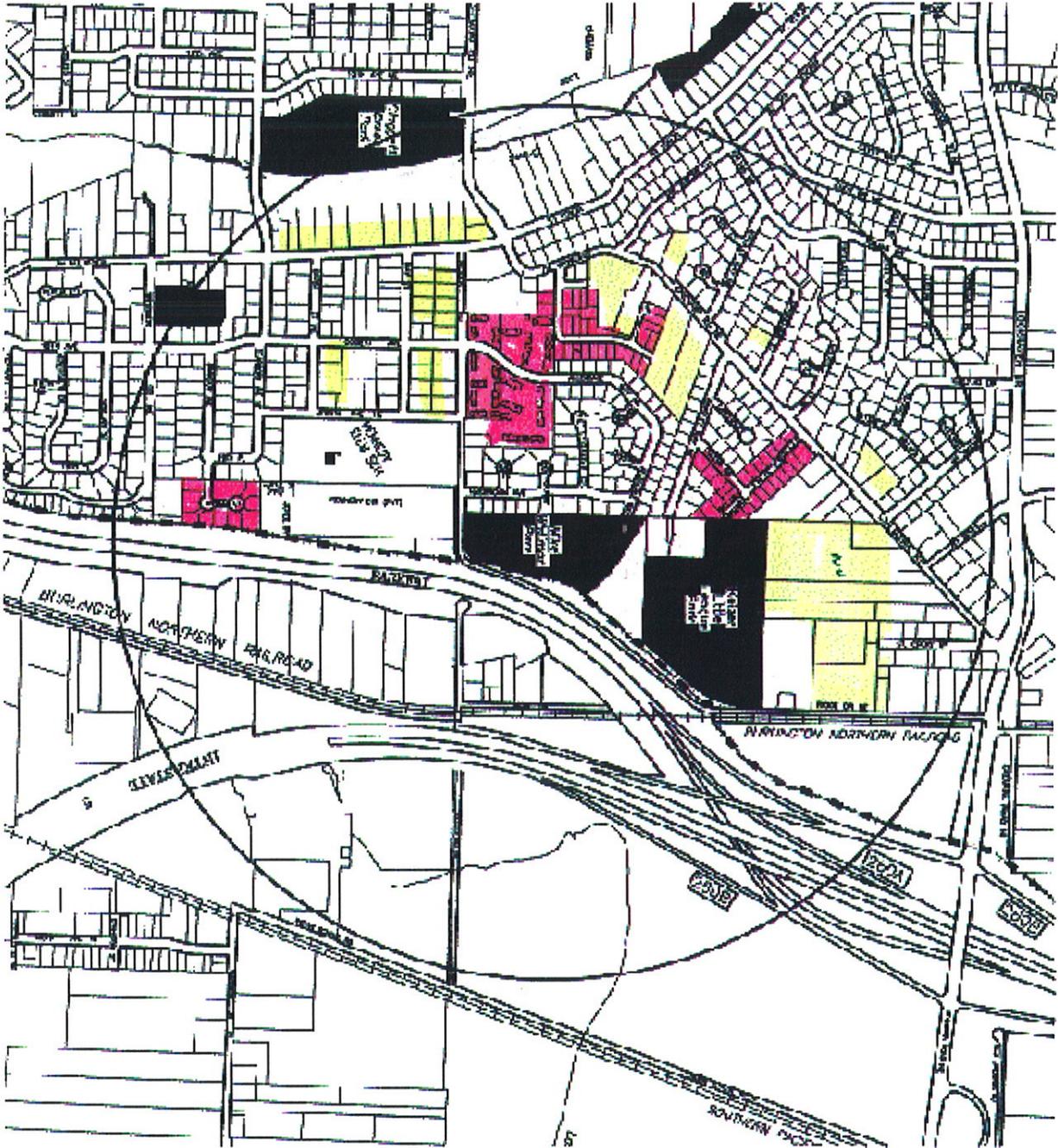


Guide: Pink = developed between 1992 and 2000

Yellow = undeveloped with potential for development between 2000 and 2010

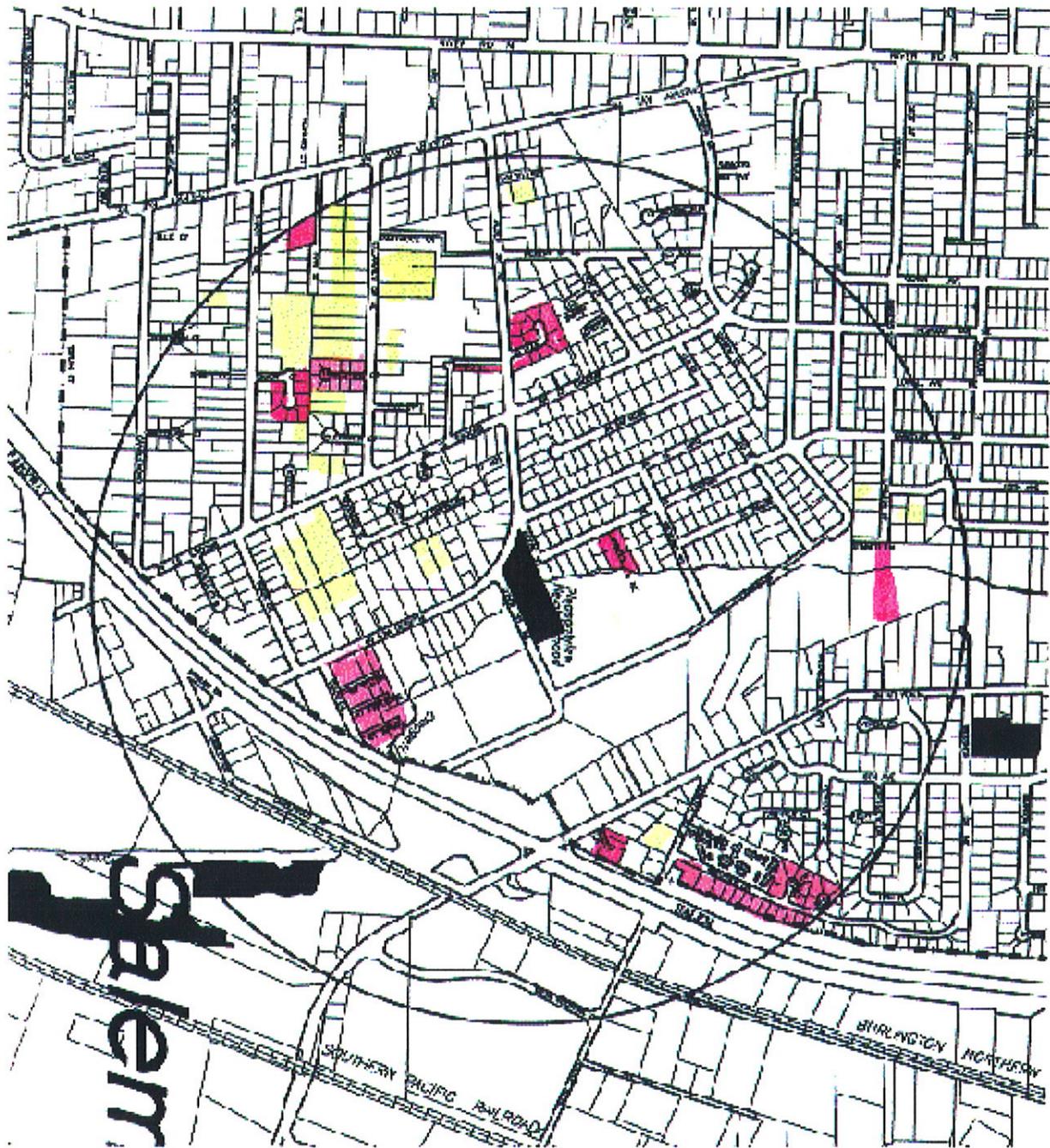
White = developed before 1992 or not planned for further development

6. Mike Whitman Park



Guide: Pink = developed between 1992 and 2000
Yellow = undeveloped with potential for development between 2000 and 2010
White = developed before 1992 or not planned for further development

8. Pleasantview Park



Guide: Pink = developed between 1992 and 2000
Yellow = undeveloped with potential for development between 2000 and 2010
White = developed before 1992 or not planned for further development

9. Willamette Manor Park



Guide: Pink = developed between 1992 and 2000
Yellow = undeveloped with potential for development between 2000 and 2010
White = developed before 1992 or not planned for further development

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R2010- 2003

4
5 ESTABLISHING UPDATE METHODOLOGY FOR PARK
6 SYSTEM DEVELOPMENT CHARGES (DECEMBER 2009
7 UPDATE REPORT)
8

9 WHEREAS, the City of Keizer adopted the Parks and Recreation Master Plan on
10 March 3, 2008 (Ordinance No. 2008-570);

11 WHEREAS, in April 2008, the City engaged Don Ganer and Associates, Inc. to
12 review such Master Plan and prepare an updated Parks Systems Development Charge
13 Methodology Report (Update Report);

14 WHEREAS, the City Council delayed implementing the methodology and new Parks
15 Systems Development Charges due to the severe and historic downturn in the real estate
16 industry;

17 WHEREAS, the City Council feels it is appropriate to move forward with the new
18 methodology and to adopt such methodology to provide the foundation for updated Park
19 System Development Charges to be adopted by separate Resolution;

20 NOW, THEREFORE,

21 BE IT RESOLVED by the City Council of the City of Keizer that the Parks &
22 Recreation SDC Methodology Update Report (December 15, 2009) attached and by this
23 reference incorporated herein is hereby adopted as the update methodology used to
24 determine maximum Parks Systems Development Charges.

25 ///

26 ///

27 ///



"Pride, Spirit and Volunteerism"

**PARKS AND RECREATION
SYSTEM DEVELOPMENT CHARGES
METHODOLOGY UPDATE REPORT**

December 15, 2009

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**Don
Ganer &
Associates, Inc.**

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City of Keizer

Parks and Recreation System Development Charges Methodology Update Report

1.0 INTRODUCTION

System Development Charges (SDCs) are one-time fees charged to new development to help pay a portion of the costs associated with building capital facilities to meet needs created by growth. The City of Keizer (City) first adopted Parks SDCs in 1992, and adopted an updated SDC methodology in 2000.

In April 2008, the City engaged Don Ganer & Associates, Inc. to review the City's recently adopted Parks & Recreation Master Plan (Master Plan), and prepare an updated parks and recreation SDCs methodology report to reflect the growth portion of facility needs identified in the Master Plan.

Section 2.0 of this report presents authority and background information including (1) legislative authority for SDCs; (2) an explanation of "improvement fee" and "reimbursement fee" SDCs; and (3) requirements and options for credits, exemptions and discounts. Section 3.0 presents the methodology used to update the Parks and Recreation SDCs, and section 4.0 presents the calculation of Parks and Recreation SDC Rates.

2.0 AUTHORITY AND BACKGROUND INFORMATION

A. Legislative Authority

The source of authority for the adoption of SDCs is found both in state statute and in the City's own plenary authority to adopt this type of fee. While SDCs have been in use in Oregon since the mid-1970's, State legislation regarding SDCs was not adopted until 1989, when the Oregon Systems Development Act (ORS 223.297 - 223.314) was passed. The purpose of this Act was to "...provide a uniform framework for the imposition of system development charges...". Legislative additions and modifications to the Act were made in 1993, 1999, 2001, and 2003. The Oregon SDC Act requires local governments that enact SDCs to:

- adopt SDCs by ordinance or resolution;
- develop a methodology outlining how the SDCs were developed;
- adopt a plan and project list to designate capital improvements that can be funded with "improvement fee" SDC revenues;
- provide credit against the amount of the SDC for the construction of certain "qualified public improvements";
- separately account for and report receipt and expenditure of SDC revenues, and develop procedures for challenging expenditures; and
- use SDC revenues for capital improvements and compliance costs only - operations and maintenance uses are prohibited.

B. "Improvement fee" and "Reimbursement fee" SDCs

The Oregon Systems Development Act provides for the imposition of two types of SDCs: (1) "improvement fee" SDCs, and (2) "reimbursement fee" SDCs. "Improvement fee" SDCs may be charged for new capital improvements that will increase the capacity of the system in order to provide service to the new development. Revenues from "improvement fee" SDCs may be used for capacity-increasing capital improvements included in a required plan and list of projects that identifies the expected timing, cost, and growth-required percentage for each project. "Reimbursement fee" SDCs may be charged for the costs of existing capital facilities if "excess capacity" is available to accommodate growth. Revenues from "reimbursement fees" may be used for *any* capital improvement project, including major repairs, upgrades, or renovations. Capital improvements to be funded with "reimbursement fee" SDCs do not need to increase capacity, but they must be included in the list of projects to be funded with SDC revenues.

C. Requirements and Options for Credits, Exemptions, and Discounts

(1) Credits

A credit is a reduction in the amount of the SDC for a specific development. The Oregon SDC Act requires that credit be allowed for the construction of any "qualified public improvement" that (1) is required as a condition of development approval, (2) is identified in the plan and list of projects on which improvement fee SDC revenues may be used, and (3) either is not located on or contiguous to property that is the subject of development approval, or is located on or contiguous to such property and is required to be built larger or with greater capacity than is necessary to meet the needs of the particular development project.

The credit for a qualified public improvement may only be applied against an SDC for the same type of improvement (e.g., a parks improvement can only be used for a credit for a parks SDC), and may be granted only for the cost of that portion of an improvement which exceeds the minimum standard facility size or capacity needed to serve the particular project. For multi-phase projects, any excess credit may be applied against SDCs that accrue in subsequent phases of the original development project.

In addition to these required credits, the City may, if it so chooses, provide a greater credit, establish a system providing for the transferability of credits, provide a credit for a capital improvement not identified in the City's plan and list of projects, or provide a share of the cost of an improvement by other means (i.e., partnerships, other City revenues, etc.).

(2) Exemptions

The City may "exempt" certain types of development, such as "affordable housing" from the requirement to pay parks SDCs. Unless an alternative source of funding for SDCs is identified, exemptions reduce SDC revenues and, therefore, increase the amounts that must come from other sources, such as property taxes.

(3) Discounts

The City may "discount" the amount of the SDC by reducing the portion of growth-required improvements to be funded with SDCs. For example, the City may decide to charge new development an SDC rate sufficient to pay only a percentage (i.e., 80%, 60%, etc.) of identified growth-required costs.

Because discounts reduce SDC revenues, they increase the amounts that must come from other sources, such as property taxes, in order to achieve or maintain desired levels of service.

3.0 PARKS AND RECREATION SDC METHODOLOGY

The City's Master Plan includes projects designed to address both growth and non-growth needs within the City. The methodology used to develop the City's Parks and Recreation SDCs establishes the required connection between the demands of growth and the SDC by analyzing the proportionate need of facilities for use by current and future residents. The SDCs to be paid by a development meet statutory requirements because they are based on the nature of the development and the extent of the impact of the development on the need for parks and recreation facilities for which they are charged. The Parks and Recreation SDCs are based on population, and the SDC rates are calculated based on the specific impacts developments are expected to have on the City's population.

A. Population Growth

The Parks and Recreation SDCs are based on costs per "capita" (person) for each new person expected during the planning period. Table 3.1, below, shows projected population growth for the City through the year 2030.

TABLE 3.1

**PROJECTED POPULATION
INCREASE FROM NEW DEVELOPMENT (2007 - 2030)**

<u>Projected</u> <u>2030</u>	-	<u>Estimated</u> <u>2007</u>	=	<u>Projected</u> <u>Increase</u>
39,994		34,735		5,259

B. Persons Per Dwelling Unit

The Parks and Recreation SDC rates are based on costs per capita and are calculated based on the number of persons per dwelling unit. To determine the appropriate number of persons per dwelling unit, official U.S. Census data for Keizer for the year 2000 was reviewed for single family and multi-family dwelling units, and an estimate was developed for senior housing. This information is displayed in Table 3.2, page 6.

TABLE 3.2

AVERAGE NUMBER OF PERSONS PER DWELLING UNIT

	<u>Avg. Persons Per Dwelling Unit</u>
Single Family Dwelling Unit (1 - 2 units)	2.8
Multi-Family Dwelling Unit (3 or more units)	2.2
Senior Housing Dwelling Unit (10 or more units)	1.1

C. Facility Needs

The City's Parks & Recreation Master Plan is incorporated into this report by reference. The plan identifies facilities designed to address both growth and non-growth needs for the City. The Capital Improvements Plan (Appendix) identifies projects designed to meet these needs.

Table 3.3, below, presents a summary of facility needs through the year 2030. The "Current Need" is the share needed to provide facilities to current residents at the levels of service resulting from facilities planned for 2030. The "Growth Need" is the share needed to provide facilities to future residents at the levels of service resulting from facilities planned for 2030.

TABLE 3.3

FACILITIES REQUIRED FOR GROWTH NEEDS

<u>Facility Type</u>	<u>2030 LOS (Units/1000)</u>	<u>Current Inventory</u>	<u>Current Need</u>	<u>Surplus (Defic.)</u>	<u>2030 Planned Units</u>	<u>Growth Need</u>	<u>Growth Percent</u>
Developed Waterfront and Regional Parks (acres)	1.11	1.50	38.47	(36.97)	44.30	5.83	13.6%
Developed Small Parks (acres)	0.98	27.00	33.96	(6.96)	39.10	5.14	42.5%
Developed Large and Special Use Parks (acres)	0.94	26.00	32.65	(6.65)	37.59	4.94	42.6%
Natural Areas and Undeveloped Park Land (acres)	n/a	157.20	n/a	n/a	n/a	0.00	0.0%
Trails & Pathways (miles)	0.64	24.97	22.38	2.59	25.77	0.80	100.0%

Based on planned 2030 levels of service, there is a 36.97-acre deficiency in developed Waterfront and Regional Parks, a 6.96-acre deficiency in developed Small Parks, and a 6.65-acre deficiency in Large and Special Use Area Parks. Improvement fee SDC revenues may be used only for growth needs, and may not be used to remedy deficiencies. Alternative revenues must be used to repair these deficiencies.

D. Facility Costs

The Capital Improvements Plan, included as an appendix to this report, identifies new facilities needed to serve parks and recreation needs of the City's planning area through the year 2030. The total funding needed for all projects included in the Plan is \$14,646,000. The SDC-eligible growth costs included in the Plan total \$4,783,205, including \$1,959,000 for new parkland, \$2,580,205 for new park development, and \$244,000 for trails and pathways.

For each project, the Capital Improvements Plan includes the total project cost, the growth-required portion (percentage), the SDC-eligible cost, and the estimated timing priority.

E. Compliance/Administrative Costs

The City incurs costs in the development and administration of the SDCs and may recoup a portion of those costs in accordance with ORS 223.307(5). Compliance/administrative costs through the year 2030 have been estimated as shown in Table 3.4, below:

TABLE 3.4

COMPLIANCE/ADMINISTRATIVE COST ESTIMATES

<u>Compliance/Administrative Cost</u>	<u>Total</u>
Annual SDC-CIP Management, Accounting and Reporting Costs (approximately \$10,000 per year for planning, financial reporting and staff services)	\$220,000
Master Plan Update (1 X \$100,000)	\$100,000
Total Estimated Compliance/Administrative Costs	\$320,000

F. Total SDC-Eligible Costs

The City's total SDC-eligible costs include the total growth costs (from Appendix) and compliance/administrative costs (from Table 3.4, above). The Total SDC-eligible costs are shown in Table 3.5, below.

TABLE 3.5

TOTAL SDC-ELIGIBLE COSTS

	<u>Total SDC Eligible Costs</u>
Growth Facility Costs	\$4,783,205
PLUS: Compliance/Admin Costs	<u>320,000</u>
Total SDC-Eligible Costs	\$5,103,205

4.0 PARKS AND RECREATION SDC RATES

The City's SDC rates are calculated using a series of sequential formulas which, when completed, yield the total parks and recreation SDC for each new dwelling unit in the City. The formulas identify:

- a) the improvements cost per capita (Formula 4a, below),
- b) the improvements cost per dwelling unit (Formula 4b, page 9)
- c) the property tax credit per dwelling unit (Formula 4c, page 9), and
- d) the net SDC per dwelling unit (Formula 4d, page 10).

The SDC rate is an "improvement fee" only, and does not include a "reimbursement fee" component.

A. Formula 4a: Improvements Cost Per Capita

The improvements cost per capita is calculated by dividing the SDC-eligible costs (identified in Table 3.5, page 7) by the increase in population expected to be created by new development through 2030 (from Table 3.1, page 5).

$$4a. \quad \begin{array}{c} \text{SDC} \\ \text{Eligible} \\ \text{Costs} \end{array} \div \begin{array}{c} \text{Population} \\ \text{Increase} \end{array} = \begin{array}{c} \text{Improvements} \\ \text{Cost} \\ \text{Per Capita} \end{array}$$

Table 4.1 presents the calculations of the improvements costs per capita.

TABLE 4.1

IMPROVEMENTS COST PER CAPITA

<u>SDC</u> <u>Eligible Costs</u>	÷	<u>Population</u> <u>Increase</u>	=	<u>Improvements</u> <u>Cost</u> <u>Per Capita</u>
\$5,103,205		5,259		\$970

B. Formula 4b: Improvements Cost Per Dwelling Unit

The improvements cost per dwelling unit is calculated by multiplying the average number of persons per dwelling unit (from Table 3.2, page 6) by the improvements cost per capita (from Table 4.1, page 9).

$$4b. \quad \begin{array}{ccc} \text{Persons Per} & \text{X} & \text{Improvements} \\ \text{Dwelling Unit} & & \text{Cost} \\ & & \text{Per Capita} \end{array} = \begin{array}{c} \text{Improvements} \\ \text{Cost Per} \\ \text{Dwelling Unit} \end{array}$$

The results of these calculations are displayed in Table 4.2, below.

TABLE 4.2

IMPROVEMENTS COST PER DWELLING UNIT

<u>Type of Dwelling Unit</u>	<u>Average Persons Per Dwelling Unit</u>	<u>X</u>	<u>Improvements Cost Per Capita</u>	<u>=</u>	<u>Improvements Cost Per Dwelling Unit</u>
Single Family (1 - 2 units)	2.8		\$970		\$2,716
Multi-Family (3 or more units)	2.2		\$970		\$2,134
Senior Housing (10 or more units)	1.1		\$970		\$1,067

C. Formula 4c: Property Tax Credit Per Dwelling Unit

Debt instruments may be used to fund facilities needed to repair deficiencies, and a portion of these debts will be repaid from property taxes paid by growth. A tax credit has been calculated to account for potential payments in order to avoid charging growth twice; once through the SDC, and a second time through property taxes. A credit has been calculated for each type of dwelling unit using the following assumptions:

- \$8 million in general obligation bonds issued in the year 2013,
- 5.0% average annual increase in total City property valuation for taxes,
- 3.0% annual increase in assessed property valuations,
- 3.0% annual inflation (decrease in value of money),
- average 2008 property valuations for new construction at \$300,000 for single family and \$150,000 for multi-family, and \$100,000 for senior housing dwelling units.

$$4c. \quad \begin{array}{l} \text{Present Value} \\ \text{of Future Property} \\ \text{Tax Payments} \end{array} = \begin{array}{l} \text{SDC Tax} \\ \text{Credit Per} \\ \text{Dwelling Unit} \end{array}$$

The amount of this credit is shown in Table 4.3, below.

TABLE 4.3

TAX CREDIT PER DWELLING UNIT

	<u>Tax Credit Per Dwelling Unit</u>
Single Family Dwelling Unit:	\$1,086
Multi-Family Dwelling Unit:	\$543
Senior Housing Dwelling Unit:	\$362

D. Formula 4d: Net SDC Per Dwelling Unit

The net SDC rate per dwelling unit is calculated by subtracting the tax credit per dwelling unit (Table 4.3, above) from the improvements cost per dwelling unit (Table 4.2, page 9).

$$4d. \quad \begin{array}{l} \text{Improvements} \\ \text{Cost Per} \\ \text{Dwelling Unit} \end{array} - \begin{array}{l} \text{SDC Tax} \\ \text{Credit Per} \\ \text{Dwelling Unit} \end{array} = \begin{array}{l} \text{Net} \\ \text{SDC Per} \\ \text{Dwelling Unit} \end{array}$$

The results of these calculations are shown in Table 4.4, below.

TABLE 4.4

NET SDC PER DWELLING UNIT

	<u>Improvements Cost Per Dwelling Unit</u>	-	<u>SDC Tax Credit Per Dwelling Unit</u>	=	<u>Net SDC Per Dwelling Unit</u>
Single-Family:	\$2,716		(\$1,086)		\$1,630
Multi-Family:	\$2,134		(\$543)		\$1,591
Senior Housing:	\$1,067		(\$362)		\$705

APPENDIX

KEIZER PARKS					page 1	
CAPITAL IMPROVEMENTS PLAN					12/15/09	
A. WATERFRONT PARKS			Estimated Project Cost (\$)	Growth-Required Portion (%)	SDC-Eligible Growth Share (\$)	Project Timing Priority (Years)
SDC-CIP Project Number	Facility	Action				
WP - 1 Palma Ciega Park Develop new park facilities on existing undeveloped parkland to meet growth and non-growth needs. acres = 1.60			\$0	0.0%	\$0	0 - 5
Acquisition						
Development			\$170,000	13.6%	\$23,120	
Total Cost			\$170,000		\$23,120	
WP - 2 Wallace House Park Develop new park facilities on existing undeveloped parkland to meet growth and non-growth needs. acres = 11.20			\$0	0.0%	\$0	0 - 5
Acquisition						
Development			\$700,000	13.6%	\$95,200	
Total Cost			\$700,000		\$95,200	
Waterfront Parks Subtotals						
Acquisition			0.00	\$0	\$0	
Development			12.80	\$870,000	\$118,320	
TOTAL			12.80	\$870,000	\$118,320	
B. SMALL CITY PARKS			Estimated Project Cost (\$)	Growth-Required Portion (%)	SDC-Eligible Growth Share (\$)	Project Timing Priority
SDC-CIP Project Number	Facility	Action				
SP - 1 Bair Park Develop new park facilities on existing undeveloped parkland to meet growth and non-growth needs. acres = 2.10			\$0	0.0%	\$0	0 - 5
Acquisition						
Development			\$100,000	42.5%	\$42,500	
Total Cost			\$100,000		\$42,500	
SP - 2 Ben Miller Family Park Renovate and upgrade existing park facilities non-growth needs. acres = 2.40			\$0	0.0%	\$0	5 - 10
Acquisition						
Renovate & Upgrade			\$30,000	0.0%	\$0	
Total Cost			\$30,000		\$0	
SP - 3 Bob Newton Family Park Renovate and upgrade existing park facilities non-growth needs. acres = 5.90			\$0	0.0%	\$0	5 - 10
Acquisition						
Renovate & Upgrade			\$100,000	0.0%	\$0	
Total Cost			\$100,000		\$0	
SP - 4 Calmers-Jones Park/Carlson Skate Park Renovate and upgrade existing park facilities non-growth needs. acres = 2.90			\$0	0.0%	\$0	10 - 15
Acquisition						
Renovate & Upgrade			\$50,000	0.0%	\$0	
Total Cost			\$50,000		\$0	
SP - 5 Clear Lake Park Renovate and upgrade existing park facilities non-growth needs. acres = 4.00			\$0	0.0%	\$0	5 - 10
Acquisition						
Renovate & Upgrade			\$10,000	0.0%	\$0	
Total Cost			\$10,000		\$0	

APPENDIX

KEIZER PARKS					page 2
CAPITAL IMPROVEMENTS PLAN					12/15/09
B. SMALL CITY PARKS (continued)					
SDC-CIP Project	Estimated Project Cost (\$)	Growth-Required Portion (%)	SDC-Eligible Growth Share (\$)	Project Timing Priority	
Number Facility Action					
SP - 6 Country Glen Park Renovate and upgrade existing park facilities non-growth needs. acres = 5.90	Acquisition \$0 Renovate & Upgrade \$50,000 Total Cost \$50,000	0.0% 0.0%	\$0 \$0 \$0	5 - 10	
SP - 7 Keizer Station Park Develop new park facilities on existing undeveloped parkland to meet growth and non-growth needs. acres = 1.30	Acquisition \$0 Development \$0 Total Cost \$50,000	0.0% 42.5%	\$0 \$0 \$0	10 - 15	
SP - 8 Meadows Park Renovate and upgrade existing park facilities non-growth needs. acres = 3.00	Acquisition \$0 Renovate & Upgrade \$10,000 Total Cost \$10,000	0.0% 0.0%	\$0 \$0 \$0	5 - 10	
SP - 9 Northview Terrace Park Renovate and upgrade existing park facilities non-growth needs. acres = 2.10	Acquisition \$0 Renovate & Upgrade \$200,000 Total Cost \$200,000	0.0% 0.0%	\$0 \$0 \$0	5 - 10	
SP - 10 Willamette Manor Park Renovate and upgrade existing park facilities non-growth needs. acres = 2.40	Acquisition \$0 Renovate & Upgrade \$120,000 Total Cost \$120,000	0.0% 0.0%	\$0 \$0 \$0	5 - 10	
SP - 11 Joint School Use Parks (Sites Unidentified) schools..	Acquisition \$0 Development \$1,000,000 Total Cost \$1,000,000	0.0% 42.5%	\$0 \$425,000 \$425,000	0 - 5	
SP - 12 New Small Park (Site Unidentified) Acquire land and develop small park to meet growth and non-growth needs. acres = 4.00	Acquisition \$800,000 Development \$1,600,000 Total Cost \$2,400,000	100.0% 42.5%	\$800,000 \$680,000 \$1,480,000	5 - 10	
Small Parks Subtotals					
Acquisition 4.00	\$800,000		\$800,000		
Development 12.10	\$3,270,000		\$1,147,500		
TOTAL 12.10	\$4,070,000		\$1,947,500		

APPENDIX

KEIZER PARKS					page 3	
CAPITAL IMPROVEMENTS PLAN					12/15/09	
C. LARGE CITY PARKS						
SDC-CIP Project Number	Facility	Action	Estimated Project Cost (\$)	Growth-Required Portion (%)	SDC-Eligible Growth Share (\$)	Project Timing Priority
LP - 1 Claggett Creek Park						
Acquired and develop additional land for expansion of the park to serve growth and non-growth needs						
acres =	11.59	Acquisition	\$1,159,000	100.0%	\$1,159,000	5 - 10
		Development	\$641,000	42.6%	\$273,066	
		Total Cost	\$1,800,000		\$1,432,066	
Acquisition	11.59		\$1,159,000		\$1,159,000	
Development	11.59		\$641,000		\$273,066	
TOTAL	11.59		\$1,800,000		\$1,432,066	
D. REGIONAL PARKS & SPECIAL USE FACILITIES						
SDC-CIP Project Number	Facility	Action	Estimated Project Cost (\$)	Growth-Required Portion (%)	SDC-Eligible Growth Share (\$)	Project Timing Priority
RP - 1 Keizer Rapids Park						
Develop new facilities to serve growth and non-growth needs.						
acres =	30.00	Acquisition	\$0	0.0%	\$0	0 - 5
		Development	\$7,500,000	13.6%	\$1,020,000	
		Total Cost	\$7,500,000		\$1,020,000	
SU - 1 Indoor Recreation Facility						
Perform Feasibility study for facilities to serve growth and non-growth needs						
acres =	0.00	Acquisition	\$0	0.0%	\$0	0 - 5
		Feasibility Study	\$50,000	13.2%	\$6,580	
		Total Cost	\$50,000		\$6,580	
Regional Parks & Special Use Facilities Subtotals						
Acquisition	0.00		\$0		\$0	
Development	30.00		\$7,550,000		\$1,026,580	
SUB-TOTAL	30.00		\$7,550,000		\$1,026,580	

APPENDIX

KEIZER PARKS					page 4	
CAPITAL IMPROVEMENTS PLAN					12/15/09	
E. NATURAL AREA/OPEN SPACE & UNDEVELOPED PARKS						
SDC-CIP Project Number	Facility	Action	Estimated Project Cost (\$)	Growth-Required Portion (%)	SDC-Eligible Growth Share (\$)	Project Timing Priority
OS - 1 Hidden Creek Park						
Develop facilities to meet growth and non-growth needs.						
acres =	3.70	Acquisition	\$0	0.0%	\$0	5 - 10
		Development	\$2,000	13.2%	\$263	
		Total Cost	\$2,000		\$263	
OS - 2 Northridge Park						
Develop facilities to meet growth and non-growth needs.						
acres =	9.50	Acquisition	\$0	0.0%	\$0	0 - 5
		Development	\$80,000	13.2%	\$10,528	
		Total Cost	\$80,000		\$10,528	
UP - 1 Mike Whittam Park						
Develop facilities to meet growth and non-growth needs.						
acres =	6.10	Acquisition	\$0	0.0%	\$0	0 - 5
		Development	\$30,000	13.2%	\$3,948	
		Total Cost	\$30,000		\$3,948	
Natural Area/Open Space Subtotals						
Acquisition	0.00		\$0		\$0	
Development	19.30		\$112,000		\$14,739	
TOTAL	19.30		\$112,000		\$14,739	
F. PATHWAYS AND CONNECTIVITY						
SDC-CIP Project Number	Facility	Action	Estimated Project Cost (\$)	Growth-Required Portion (%)	SDC-Eligible Growth Share (\$)	Project Timing Priority
PC - 1 Multi-Use Pathway (Clagett Creek)						
Develop new multi-use pathway facilities to serve growth and non-growth needs.						
miles =	0.80	Development	\$244,000	100.0%	\$244,000	5 - 10
		Total Cost	\$244,000		\$244,000	
Bike/Pathways Subtotal						
Development (miles)	0.80		\$244,000		\$244,000	
TOTAL MILES	0.80		\$244,000		\$244,000	

3 AN ORDINANCE ESTABLISHING A
4 PARKS SYSTEM DEVELOPMENT CHARGE

5 The City of Keizer ordains as follows:

6 Section 1. TITLE AND PURPOSE. This Ordinance shall be known
7 and may be cited as the "Parks Systems Development Charge Ordinance
8 of the City of Keizer." The purpose of this charge or fee is to
9 create a source of funds to assist in paying for capital improvement
10 and acquisition of land for parks.

11 Section 2. FINDINGS. The City Council of the City of Keizer
12 hereby finds:

13 (a) It is more cost efficient to use SDC revenue from new
14 development in the entire community to finance the growth
15 related portion of capital improvements based upon a city-wide
16 priority rather than to hold the SDC revenue generated in one
17 area of the community for improvements just in that area.

18 (b) The increase in administrative costs to account for receipt
19 and expenditure of SDC revenues based upon geographic areas of
20 the City of Keizer rather than on a city-wide basis would divert
21 revenue from needed capital improvement projects. The benefit
22 of minimizing administrative costs attributable to the systems
23 development charge outweighs the benefit of allocating SDC
24 revenues and expenditures based upon geographic areas.

25 (c) The systems development charge imposed by this Ordinance
26 is not intended to be a tax on property or on a property owner
27 as a direct consequence of ownership of the property within the
28 meaning of Section 11b, Article XI of the Oregon Constitution

1 or the legislation implementing such Section. If the systems
2 development charge imposed herein is viewed under the Section
3 as a tax against property or against a property owner, it is an
4 incurred charge within the meaning of that Section and the
5 legislation implementing it because it allows the owner to
6 control the quantity of service by determining the extent of
7 development, and it allows the owner to determine when the
8 service is to be initiated or increased by controlling when the
9 development occurs.

10 Section 3. SCOPE. The systems development charge imposed
11 by this Ordinance is separate from and in addition to any applicable
12 tax, assessment, charge, fee in lieu of assessment, or fee otherwise
13 provided by law or imposed as a condition of development. A systems
14 development charge is to be considered in the nature of a charge for
15 service rendered, or a charge for services to be rendered.

16 Section 4. DEFINITIONS. As used in this Ordinance, the
17 following words and phrases shall mean:

18 (a) Building Permit. Any permit issued by the building
19 department of the City of Keizer or Marion County.

20 (b) Capital Improvement. Facilities or assets used for parks
21 and recreation, including, but not limited to, neighborhood parks,
22 community parks, and other recreational facilities.

23 Capital improvement does not include costs of the operation or
24 routine maintenance of capital improvements.

25 (c) Development. (1) The first establishment of a use
26 involving the construction or the placing of a structure upon a
27 parcel of land that was prior to that event not occupied by any

1 structure, or (2) any construction, alteration or change of occupancy
2 which increases the usage of any capital improvement or which creates
3 the need for additional capital improvements.

4 (d) Owner. The legal owner of record of land or, where there
5 is a recorded land contract which is in force, the purchaser
6 thereunder.

7 (e) Improvement Fee. A fee for costs associated with capital
8 improvements.

9 (f) Qualified Public Improvement. An improvement that is:

10 (1) Required as a condition of residential development
11 approval; and

12 (2) Identified in the Comprehensive Park System Development
13 Plan; and

14 (3) Not located on or contiguous to property that is the
subject of residential development approval.

16 (g) Reimbursement Fee. A fee for costs associated with capital
17 improvements already constructed or under construction.

18 (h) System Development Charge or SDC. A reimbursement fee, a
19 improvement fee, or a combination thereof, assessed or collected any
20 of the times specified in Section 8 of this Ordinance. System
21 development charge does not include any fees assessed or collected
22 as part of a local improvement district or a charge in lieu of a
23 local improvement district assessment, or the cost of complying with
24 requirements or conditions imposed upon a land use decision.

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1 Section 5. DEVELOPMENT CHARGE IMPOSED. Parks systems
2 development charges as provided in this Ordinance are hereby imposed
3 upon all development within the City of Keizer except where exempt
4 under the provisions of Section 9. The person securing the building
5 permit shall pay to the City of Keizer said parks systems development
6 charge or charges established by resolution.

7 Section 6. DEDICATED FUNDS FROM SYSTEM DEVELOPMENT CHARGE.
8 The revenues received from the systems development charges shall be
9 dedicated, budgeted and expended as provided by state law.

10 Section 7. USE OF CHARGE, SPECIAL FUND. All of the moneys
11 dedicated under Section 6 shall be used only for the cost of
12 projected capital improvements as provided for in the Comprehensive
13 Park System Development Plan, including the costs of developing
14 system development charge, methodology and providing an annual
15 accounting of such SDC expenditures, provided further, said revenues
16 may be pledged and used toward payment of principal and interest on
17 bonds issued, if any, for the purpose of financing the extra capacity
18 facilities.

19 Section 8. TIME OF PAYMENT. (a) The amount of the charge
20 imposed under this Ordinance shall be due and payable to the City of
21 Keizer at the time the building permit or mobile home set-up permit
22 or mobile home park permit is issued.

23 (b) In lieu of payment being made as required under subsection
24 (a) of this Section, the owner of the land on which the improvement
25 will be located may request a lien be placed on the property for the
26 amount of the charge and agree to pay the amount due in semiannual
27 installments as authorized by ORS 223.208. The procedure for

1 processing the request, the interest rate and other requirements for
2 establishing the lien and payment of the obligation in semiannual
3 installments shall be the same as are used for time payment of
4 special assessments at the time the lien request is submitted.

5 Section 9. EXEMPTIONS. The charge or fee imposed under this
6 Ordinance shall not apply to the following:

7 (a) Reconstruction or repair of a building or structure, or
8 portion thereof, which was damaged or destroyed by earthquake, fire,
9 flood, or other natural causes over which the owner had no control,
10 but only if such reconstruction or repair is done pursuant to a
11 building permit issued within one year after such damage or
12 destruction and there is no increase in the number of dwelling units.

13 (b) Moving a building or structure from a lot within City to
14 another lot within City provided there is no increase in the number
of dwelling units.

16 (c) Replacement structures for any forced acquisition wherein
17 a building or structure is acquired for city purposes through eminent
18 domain provided that the owner obtains a building permit for the
19 replacement structure within two years of the acquisition, and there
20 is no increase in the number of dwelling units.

21 (d) The City of Keizer, Oregon.

22 (e) Nothing in this Ordinance shall be construed as imposing
23 a charge upon any person when imposition of such charge upon that
24 person would be in violation of the Constitution of the United States
25 or the Constitution of the State of Oregon.

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1 Section 10. SYSTEM DEVELOPMENT CHARGE CREDIT. (a) A credit
2 against the SDC shall be allowed for the construction of a qualified
3 public improvement.

4 (b) If a qualified public improvement is partially located on
5 and partially located off property that is the subject of the
6 residential development approval, the credit shall be only for the
7 cost of that portion of the improvement not located on or wholly
8 contiguous to the property. The credit shall be only against the
9 SDC for the type of improvement being constructed and the credit
10 shall not exceed such SDC even if the cost of the capital improvement
11 exceeds the applicable SDC.

12 (c) Other types of credits may be granted by the City Manager
13 or his designee, upon recommendation by the Parks Advisory Board.
14 Such credits may include, but are not limited to, a credit for a
15 developer's donation of park land and/or park improvements within
16 their development. In no event shall the credit exceed the amount
17 of the SDC.

18 Section 11. METHODOLOGY. (a) The methodology used to
19 establish the improvement fee shall consider the cost of projected
20 capital improvements needed to increase the capacity of the systems
21 to which the fee is related.

22 (b) The methodology authorized by this Section shall be
23 established by resolution; and this methodology may be adopted and
24 amended when making any revision to the system development charge.

25 Section 12. APPEALS. (a) A decision regarding exemptions or
26 credits made by the City Manager or his designee under this Ordinance
27 may be appealed to the Keizer City Council by filing a written

1 request with the City Recorder within ten (10) days from the
2 decision, describing with particularity the decision from which the
3 person appeals. The Council shall within thirty (30) days after
4 filing of the request, hear and consider the appeal. The Council may
5 affirm, modify, extend, or overrule said decision in a manner that
6 is consistent with the provisions of this Ordinance.

7 (b) In the manner provided in subsection (a), any citizen or
8 other interested person may challenge an expenditure of system
9 development charge revenues by filing such appeal with the Keizer
10 City Council within two years of the expenditure. The decision of
11 the Council shall be reviewed only as provided in ORS 34.010 to
12 34.100, and not otherwise.

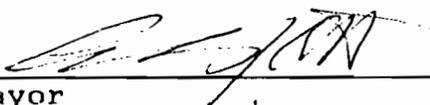
13 (c) Notwithstanding the above subsections, no legal action
14 intended to contest the methodology used for calculating the parks
15 system development charge shall be filed after sixty (60) days
16 following adoption or modification of the Parks System Development
17 Charge Ordinance or Resolution, pursuant to ORS 223.304(5).

18 Section 13. This act being necessary for the immediate
19 preservation of the public peace, health, and safety, an emergency
20 is hereby declared to exist and this Ordinance shall be in full force
21 and effect upon its passage.

22 PASSED this 1st day of June, 1992.

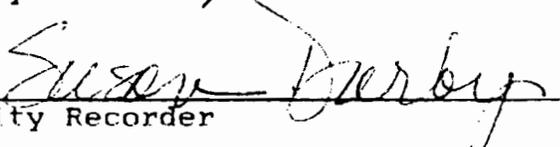
23 SIGNED this 3rd day of June, 1992.

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Mayor

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City Recorder

824H.005

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2000-1230

A RESOLUTION ESTABLISHING THE UPDATE METHODOLOGY (2000) FOR
A PARKS SYSTEM DEVELOPMENT CHARGE

WHEREAS, the City of Keizer accepted the Comprehensive Park System Development
Plan dated May 7, 1992; and

WHEREAS, such Plan sets forth a methodology for determining an equitable systems
development charge; and

WHEREAS, the Council has accepted the Parks and Recreation Facility Systems
Development Charges Update Methodology Report (July 17, 2000) which sets forth needed
facility improvements and an updated methodology for determining appropriate parks system
development charges; and

WHEREAS, on November 20, 2000 the City Council held the public hearing to consider
amending the parks system development charges; and

WHEREAS, pursuant to Ordinance 92-231, the methodology used to establish the parks
system development charge may be established by resolution;

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NOW, THEREFORE,

2 BE IT RESOLVED by the City Council of the City of Keizer that the attached
3 methodology marked Exhibit 1 attached hereto (including Appendix A - Adjustment Factor)
4 and by this reference incorporated herein is hereby adopted as the methodology used to
5 determine the parks system development charge.

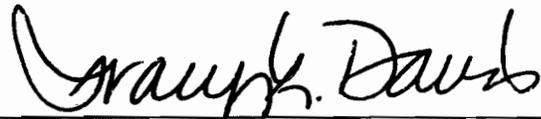
6 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that the
7 attached update methodology (2000) replaces the methodology adopted under Resolution
8 R92-563.

9 PASSED this 18th day of December, 2000.

SIGNED this 18th day of December, 2000.

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12 Mayor

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14 City Recorder

15 824H.032

**APPENDIX A
(ADJUSTMENT FACTOR)**

Notwithstanding any other provision, the dollar amounts of the SDC set forth in the SDC Methodology Report shall on January 1st of each year be adjusted to account for changes in the costs of acquiring and constructing parks facilities. The adjustment factor shall be based on the change in average market value of undeveloped land in the City, according to the records of the County Tax Assessor, and the change in construction costs according to the Engineering News Record (ENR) Northwest (Seattle, Washington) Construction Cost Index; and shall be determined as follows:

$$\begin{array}{r} \text{Change in Average Market Value X 0.50} \\ + \quad \text{Change in Construction Cost Index X 0.50} \\ \hline = \quad \text{Parks System Development Charge Adjustment Factor} \end{array}$$

The Parks System Development Charge Adjustment Factor shall be used to adjust the Parks System Development Charge, unless it is otherwise adjusted by the City Council based on a review of revenues and rates or adoption of an updated methodology.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2000-1231

A RESOLUTION ESTABLISHING THE AMOUNT OF THE
PARKS SYSTEM DEVELOPMENT CHARGE (2000)

WHEREAS, the City of Keizer has adopted an update methodology for determining the parks system development charge pursuant to Resolution R2000-1230; and

WHEREAS, pursuant to Ordinance 92-231, the amount of the parks system development charge may be established by resolution;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that the parks system development charges authorized by Ordinance 92-231 shall be as follows:

\$650.00 per dwelling unit for the following types of structures: single-family dwellings, duplexes, condominiums, developed manufactured home park spaces, and manufactured homes placed on lots not within a manufactured home park.

\$435.00 per dwelling unit for the following types of structures: multi-family dwellings consisting of three or more dwelling units in a single building.

The above fees shall be adjusted on July 1 each year by calculating a percentage increase based on the average of the two following indices: (1) increase in undeveloped land average market value according to the records of the Marion County Tax Assessor, and (2) the increase in construction costs according to the Engineering News Record (ENR) Northwest

Construction Cost Index. If the ENR Construction Cost Index is not available, a similar index shall be used in conjunction with the Marion County Tax Assessor Index.

These fees are improvement fees only.

All system development charges collected hereunder shall be used as set forth in the methodology report (Section 4.0 SDC Expenditure Guidelines), along with administrative costs as allowed under Oregon law.

BE IT FURTHER RESOLVED by the City Council of the City of Keizer that the charges established herein shall become effective January 1, 2001. The previous systems development charge established by Resolution R92-564 as clarified by Resolution R93-683 shall be in effect for all building permit applications submitted prior to this effective date.

PASSED this 18th day of December, 2000.

SIGNED this 18th day of December, 2000.



Mayor



City Recorder

824H.033

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2001-1239

3 A RESOLUTION AMENDING THE PARKS SYSTEM
4 DEVELOPMENT CHARGE (2000); AMENDING
5 RESOLUTION R2000-1231

6 WHEREAS, Ordinance 92-231 sets forth that the amount of the parks system
7 development charge may be established by resolution;

8 WHEREAS, Resolution R2000-1230 adopts the methodology for determining the
9 maximum parks system development charge;

10 WHEREAS, Resolution R2000-1231 sets forth the amount of the parks system
11 development charge;

12 WHEREAS, amendment of Resolution R2000-1231 is needed to amend the parks
13 system development charges set forth therein;

14 NOW, THEREFORE,

15 BE IT RESOLVED by the City Council of the City of Keizer that Resolution
16 R2000-1231 is hereby amended at Lines 12 through 16 inclusive to read as follows:

17 "\$880.00 per dwelling unit for the following types of structures: single-
18 family dwellings, duplexes, condominiums, developed manufactured
19 home park spaces, and manufactured homes placed on lots not within a
20 manufactured home park.

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1 "\$624.00 per dwelling unit for the following types of structures: multi-
2 family dwellings consisting of three or more dwelling units in a single
3 building."

4 BE IT FURTHER RESOLVED that the new system development charge set forth
5 herein shall be applied to all building permit applications applied for after the date of
6 passage of this Resolution.

7 PASSED this 5th day of February, 2001.

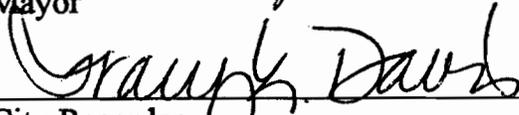
8 SIGNED this 5th day of February, 2001.

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Mayor

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City Recorder

13 824H.038

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CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2005-1606

A RESOLUTION AMENDING THE UPDATE METHODOLOGY
(2000) FOR A PARKS SYSTEM DEVELOPMENT CHARGE;
AMENDING RESOLUTION R2000-1230

WHEREAS, Ordinance 92-231 sets forth that the methodology used to establish
parks system development charges may be established by resolution;

WHEREAS, Resolution R2000-1230 adopts the methodology for determining the
maximum parks system development charge;

WHEREAS, amendment of Resolution R2000-1230 is needed to amend the
methodology set forth therein;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that Resolution
R2000-1230 is hereby amended by replacing Exhibit 1 with Appendix A - Adjustment
Factor (2005) attached hereto and by this reference incorporated herein.

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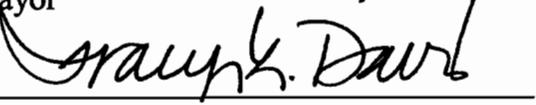
1 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that the
2 attached Appendix A - Adjustment Factor (2005) is hereby adopted as the methodology
3 used to determine the parks system development charge and therefore replaces the
4 methodology adopted under R2000-1230.

5 PASSED this 20th day of June, 2005.

6 SIGNED this 20th day of June, 2005.

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Mayor


City Recorder

APPENDIX A - ADJUSTMENT FACTOR (2005)

Notwithstanding any other provision, the dollar amounts of the SDC set forth in the SDC Methodology Report shall on July 1 of each year be adjusted to account for changes in the costs of acquiring and constructing parks facilities. The adjustment factor shall be based on the change in average market value of undeveloped land in the City, according to the records of the County Tax Assessor, and the change in construction costs according to the Engineering News Record (ENR) Northwest (Seattle, Washington) Construction Cost Index; and shall be determined as follows:

$$\begin{array}{r} \text{Change in Average Market Value X 0.50} \\ + \quad \text{Change in Construction Cost Index X 0.50} \\ \hline = \quad \text{Parks System Development Charge Adjustment Factor} \end{array}$$

Indexing Methodology:

Increase fee in \$5.00 increments.

When index brings fee half way between the preceding fee and the next increment, increase fee to the next increment.

For example: When the index brings a \$735.00 fee up to \$781.43, increase fee to \$780.00.

This methodology will keep the revenue within 1% of the annual indexing.

The Parks System Development Charge Adjustment Factor shall be used to adjust the Parks System Development Charge, unless it is otherwise adjusted by the City Council based on a review of revenues and rates or adoption of an updated methodology.

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2005- 1607

3 A RESOLUTION AMENDING THE PARKS SYSTEM
4 DEVELOPMENT CHARGE (2000); **AMENDING RESOLUTION**
5 **R2000-1231; REPEALING R2001-1239**

6 WHEREAS, Ordinance 92-231 sets forth that the amount of the parks system
7 development charge may be established by resolution;

8 WHEREAS, Resolution R2000-1230 as amended by Resolution R2005- 1606
9 adopts the methodology for determining the maximum parks system development
10 charge;

11 WHEREAS, Resolution R2000-1231 sets forth the amount of the parks system
12 development charge;

13 WHEREAS, Resolution R2001-1239 amended the parks system development
14 charge outlined in Resolution R2000-1231;

15 WHEREAS, further amendment of Resolution R2000-1231 is needed to amend
16 the parks system development charges set forth therein;

17 WHEREAS, Resolution R2001-1239 should be repealed;

18 NOW, THEREFORE,

19 BE IT RESOLVED by the City Council of the City of Keizer that Resolution
20 R2000-1231 is hereby amended at Lines 12 through 16 inclusive to read as follows:

1 "\$1,035.00 per dwelling unit for the following types of structures: single-
2 family dwellings, duplexes, condominiums, developed manufactured
3 home park spaces, and manufactured homes placed on lots not within a
4 manufactured home park."

5 "\$735.00 per dwelling unit for the following types of structures: multi-
6 family dwellings consisting of three or more dwelling units in a single
7 building."

8 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that
9 Resolution R2000-1231 is hereby amended on Page 2 by inserting the following sentence
10 at the end of Line 2:

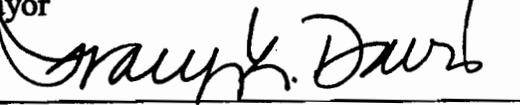
11 "Any adjustment that increases the system development charge shall be
12 increased in \$5.00 increments pursuant to Appendix A - Adjustment
13 Factor (2005) attached to Resolution R2005- 1606 as amended."

14 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that
15 Resolution R2001-1239 is hereby repealed in its entirety.

16 BE IT FURTHER RESOLVED that the new system development charge set forth
17 herein shall be applied to all building permit applications applied for after the date of
18 August 1, 2005 and shall be adjusted annually on July 1 of each year.

19 PASSED this 20th day of June, 2005.

20 SIGNED this 20th day of June, 2005.

21 
22 Mayor
23 
24 City Recorder

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2005- 1619

3 A RESOLUTION AMENDING THE PARKS SYSTEM
4 DEVELOPMENT CHARGE (2000); AMENDING RESOLUTION
5 R2000-1231; REPEALING R2001-123; REPEALING R2005-1607
6

7 WHEREAS, Ordinance 92-231 sets forth that the amount of the parks system
8 development charge may be established by resolution;

9 WHEREAS, Resolution R2000-1230 as amended by Resolution R2005-1606
10 adopts the methodology for determining the maximum parks system development
11 charge;

12 WHEREAS, Resolution R2000-1231 sets forth the amount of the parks system
13 development charge;

14 WHEREAS, Resolution R2001-1239 amended the parks system development
15 charge outlined in Resolution R2000-1231;

16 WHEREAS, Resolution R2005-1607 amended the parks system development
17 charge outlined in Resolution R2000-1231 and repealed R2001-1239;

18 WHEREAS, further amendment of Resolution R2000-1231 is needed to amend
19 the parks system development charges set forth therein;

1 WHEREAS, Resolutions R2001-1239 and R2005-1607 should be repealed;

2 NOW, THEREFORE,

3 BE IT RESOLVED by the City Council of the City of Keizer that Resolution

4 R2000-1231 is hereby amended at Lines 12 through 16 inclusive to read as follows:

5 "\$1,045.00 per dwelling unit for the following types of structures: single-
6 family dwellings, duplexes, condominiums, developed manufactured
7 home park spaces, and manufactured homes placed on lots not within a
8 manufactured home park."
9

10 "\$740.00 per dwelling unit for the following types of structures: multi-
11 family dwellings consisting of three or more dwelling units in a single
12 building."
13

14 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that

15 Resolution R2000-1231 is hereby amended on Page 2 by inserting the following sentence

16 at the end of Line 2:

17 "Any adjustment that increases the system development charge shall be
18 increased in \$5.00 increments pursuant to Appendix A - Adjustment
19 Factor (2005) attached to Resolution R2005-1606 as amended."
20

21 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that

22 Resolutions R2001-1239 and R2005-1607 are hereby repealed in their entirety.

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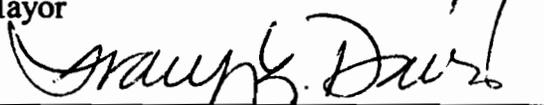
1 BE IT FURTHER RESOLVED that the new system development charge set forth
2 herein shall be applied to all building permit applications applied for after the date of
3 September 1, 2005 and shall be adjusted annually on July 1 of each year.

4 PASSED this 1st day of August, 2005.

5 SIGNED this 1st day of August, 2005.

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Mayor


City Recorder