



## Staff Report

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**File #:** 21-586

**Version:** 1

**Date:** 1/10/2022

**Item #:**

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**TO:** Mayor and City Council

**THROUGH:** Steve Powers, City Manager

**FROM:** Peter Fernandez, PE Public Works Director

### **SUBJECT:**

Amendments to the Parks, Transportation, Water, and Stormwater System Development Charge Eligible Project Lists.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe, Reliable, and Efficient Infrastructure

### **SUMMARY:**

System Development Charges (SDCs) are expended for construction of parks, transportation, water, wastewater, and stormwater infrastructure needed to serve developable land. Under *Oregon Revised Statutes* (ORS) 223.309, the City is required to prepare a list of projects ("309 Lists") that are to be funded with SDCs. These 309 Lists are periodically modified to ensure that infrastructure needed to serve new developments is eligible for SDC expenditures. Resolution 2022-1 amends the Parks, Transportation, Water, and Stormwater 309 Lists in response to changing development patterns.

### **ISSUE:**

Shall the City Council adopt Resolution No. 2022-1, amending the Parks, Transportation, Water, and Stormwater System Development Charges Eligible Project Lists to specify eligibility of infrastructure projects?

### **RECOMMENDATION:**

Adopt Resolution No. 2022-1, amending the Parks, Transportation, Water, and Stormwater System Development Charges Eligible Project Lists to specify eligibility of infrastructure projects.

### **FACTS AND FINDINGS:**

1. Resolution 2022-1 (Attachment 1) amends the Parks, Transportation, Water, and Stormwater 309 Lists shown in Tables 8, 22, 23, 38, and 39 of the SDC methodology adopted under Resolution No. 2019-7 by City Council on February 25, 2019, and as amended under Resolution No. 2019-25, Resolution No. 2020-6, Resolution No. 2021-1, and Resolution 2021-32.
2. Modifications to the Parks 309 List (Resolution Exhibit 1 -Table 8) are explained as follows:
  - a. Community Parks - Add one acre of Woodmansee Park development totaling \$500,000. City Council approved the Woodmansee Park Master Plan on May 10, 2021. Phase one contains approximately one acre of SDC-eligible improvements, including a picnic shelter, multiuse field, and ADA accessible paths. The Fairview Park development area is reduced from 14 acres to 13 acres to maintain the same total maximum allowable developed area of 55 acres for Community Parks.
3. Modifications to the Transportation 309 List (Resolution Exhibit 1 -Tables 22 and 23) are explained as follows:
  - a. Intersections
    - i. Remove 12<sup>th</sup> Street SE at Fairview Avenue SE - Completed
    - ii. Remove Brown Road NE at Sunnyview Road NE - Completed
    - iii. Remove McGilchrist Street SE at 12<sup>th</sup> Street SE - Completed
    - iv. Add State Street at Greencrest Street NE - Required as a condition of development for East Park Estates Subdivision, case number CPC-ZC-PUD-SUB-ADJ19-08MOD2.
  - b. Corridor Projects
    - i. Remove Fisher Road Extension between Sunnyview Road NE and Market Street NE - Completed
    - ii. Add Aumsville Road SE from Deer Park Road SE to the Urban Growth Boundary - Required as a condition of development for a future multi-family development project, case number CPC-ZC-UGA18-04.
    - iii. Add Hilfiker Lane Extension from 12<sup>th</sup> Street SE to Pringle Road SE - Required as a condition of development for subdivision case number SUB21-09.
4. Additions to the Water 309 List for Pipes (Resolution Exhibit 1 - Table 29) is explained as follows:
  - a. S-2 Feeder. A 12-inch water main is required in Landau Avenue SE west of Battle

Creek Road SE as a condition of development for construction plan project number 20-104752-PC, implementing Subdivision Case No. 19-06 (Landau Heights Subdivision).

5. Additions to the Stormwater 309 List in Attachment 2 of Resolution 2002-142 (Resolution Exhibit 1 - Stormwater: Battle Creek Basin) is explained as follows:
  - a. Upstream of BCB20. A stormwater main is required upstream of project BCB20 in Liberty Road S between Mildred Lane S and Davis Road as a condition of development for Site Plan Review Case No. SPR-ADJ-DAP-TRV-DR21-24. Pursuant to Administrative Rule 109-200, the SDC Eligibility Ratio of 18.2 percent is included in the Stormwater 309 list, which is the approximate difference in cost between the pipe size needed to serve the development project and the larger pipe needed to serve additional development in the surrounding area.
6. Staff recommends approval of Resolution No. 2022-1 in order to specify SDC eligibility of infrastructure projects required for new development.

## BACKGROUND:

*Oregon Revised Statutes* (ORS) Chapter 223 authorizes the City of Salem to charge SDCs on new development to recover all or part of the cost of building certain infrastructure needed to serve developable land. SDC funds may only be expended on capital improvements associated with the system(s) for which the fees are collected.

Under ORS 223.309, the City is required to prepare a master plan and list of projects that are to be funded with these SDCs. This list of projects is commonly referred to as the "309 List." Only projects on the 309 Lists can be funded with SDCs. However, the 309 Lists can be amended at any time by City Council to add or remove projects or make other modifications.

City Council adopted SDC methodologies for Parks, Transportation, Water, Sewer, and Stormwater under Resolution No. 2019-7 and amended under Resolution No. 2019-25, Resolution No. 2020-6, Resolution No. 2021-1, and Resolution 2021-32. The 309 Lists adopted under Resolution 2019-7 are based on a projected development pattern as depicted in the Buildable Lands Opportunity Boundary in Figure 1 of the methodology. As development patterns change, the 309 Lists are customarily modified to ensure that infrastructure needed to serve new developments is eligible for SDC credits as appropriate.

Glenn J. Davis, CFM  
Chief Development Engineer

## Attachments:

1. Resolution No. 2022-1
2. Resolution No 2022-1 Exhibit 1