

ORDINANCE NO. 1348-12

AN ORDINANCE UPDATING THE ROAD UTILITY FEE; AND AMENDING TMC 3-4-080

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. TMC 3-4-080 is amended to read as follows:

(1) The Road Utility Fee shall be based on the following factors:

- (a) The developed use of the property which includes the amount of vehicular traffic generated by the property, as determined by the City Engineer.
- (b) For nonresidential uses the developed square footage on the property or parcel.
- (c) The traffic generation factor for each use category of developed property.
- (d) The base rate maintenance cost for each Customer Group, based on use category of the developed property.

(2) The City Engineer shall determine the category of use from the ITE Manual that shall apply to each developed lot or parcel within the City. In the absence of a specific use category from within the ITE Manual for a particular developed use, the City Engineer shall determine the appropriate category by interpreting the ITE Manual and assigning the category which most accurately reflects the traffic generated by the particular developed use. After determining the appropriate use category for a developed parcel, the City Engineer shall use the estimated vehicle trip generation figures for the assigned use category from the ITE Manual and designate the developed property to a particular Customer Group. For nonresidential developed uses the applicable Road Utility fee shall be based on the area of developed use measured in thousands of square feet or fractions of thousand square feet. The Customer Groups are as follows:

- (a) Single family residential;
- (b) Multi-family residential; and

(c) Non-residential uses. Trip generation rates per thousand square feet of developed area shall be assigned to one of the following four non-residential groups:

(i) Group 1 with 7 or fewer average daily vehicle trips per thousand square feet of developed area;

(ii) Group 2 with more than 7 but less than 21 average daily vehicle trips per thousand square feet of developed area;

(iii) Group 3 with 21 or more but less than 53 average daily vehicle trips per thousand square feet of developed area;

(iv) Group 4 with 53 or more but less than 151 average daily vehicle trips per thousand square feet of developed area;

(v) Group 5 with 151 or more but less than 400 average daily vehicle trips per thousand square feet of developed area;

(vi) Group 6 with 400 or more average daily vehicle trips per thousand square feet of developed area; and

(vii) Group 7 for specially assigned trip generation figures.

(3) For purposes of examining uses not explicitly listed in the ITE manual and thereby determining the appropriate Category of Use, the City Engineer shall consider at least the following factors as well as any other relevant information:

(a) the size of the site and the building;

(b) the number of employees;

(c) other developed sites operated by the same or an affiliated owner for a use generating comparable amounts of traffic;

(d) other developed sites operated by a different owner for a use generating comparable amounts of traffic;

(e) the number of work shifts;

(f) the number of hours of operation; and

(g) the planning district designation.

The City Engineer may require and consider the results of a traffic study, provided such study shall be conducted in conformance with the methodology outlined in the ITE Manual, and provided further such study shall include on site traffic counts not less than twice nor more than four times during the year immediately following the beginning of operation on site. In furtherance of this rule the City Engineer may assign a Use Category and Customer Group on an interim basis, provided it is not less than the lowest Customer Group among available residential or nonresidential groups. The determination of Use Category shall not be considered a land use decision as that term is defined in ORS 197.015.

(4) The monthly fee for each customer group is as follows:

(a) Single family residential, ~~\$3.42~~ \$3.92 per unit;

(b) Multi-family residential, ~~\$2.86~~ \$3.36 per unit;

(c) Non-residential Group 1, \$0.75 per thousand square feet; plus an additional ~~\$2.00~~ \$2.50 flat fee;

(d) Non-residential Group 2, \$1.66 per thousand square feet; plus an additional ~~\$2.00~~ \$2.50 flat fee;

(e) Non-residential Group 3, \$4.39 per thousand square feet; plus an additional ~~\$2.00~~ \$2.50 flat fee;

(f) Non-residential Group 4, \$11.08 per thousand square feet; plus an additional ~~\$2.00~~ \$2.50 flat fee;

(g) Non-residential Group 5, \$29.51 per thousand square feet; plus an additional ~~\$2.00~~ \$2.50 flat fee;

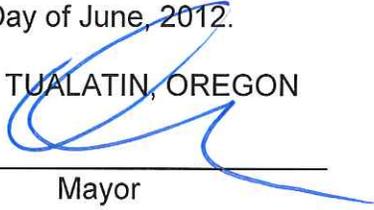
(h) Non-residential Group 6, \$72.73 per thousand square feet; plus an additional ~~\$2.00~~ \$2.50 flat fee; and

(i) Non-residential Group 7, \$0.53 per thousand square feet, plus an additional ~~\$2.00~~ \$2.50 flat fee.

(5) The Council may revise the monthly fee to reflect actual revenues, anticipated maintenance and lighting requirements, improvements in the methods of calculating revenues or requirements and changes in conditions which the Council finds should be taken into consideration in rates.

INTRODUCED AND ADOPTED this 25th Day of June, 2012.

CITY OF TUALATIN, OREGON

BY  \_\_\_\_\_  
Mayor

ATTEST:   
BY \_\_\_\_\_  
City Recorder

APPROVED AS TO LEGAL FORM

  
CITY ATTORNEY