

REVIEWED
LEGAL COUNSEL

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BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

A Resolution to Modify the Transportation System Development Charges Established by Resolution No. ~~2008-059~~2013-020 for Properties Within Unincorporated Deschutes County. * RESOLUTION NO. ~~2013-020~~2024-038

WHEREAS, the Deschutes County Board of County Commissioners (“Board”) held a duly noticed public hearing on ~~June 5, 2013~~October 16, 2024, to consider modifying the transportation system development charge (“SDC”) originally established by Resolution No. 2008-059 and modified by Resolution 2013-020 to help fund transportation projects that are necessary to serve the existing and growth-related needs in the unincorporated areas of the county; and

WHEREAS, ORS 223.297 through 223.314 authorize governmental units to establish and modify transportation system development charges; and

WHEREAS, system development charges are incurred upon the decision to develop property at a specific use, density and/or intensity, and the incurred charge equals, or is less than, the actual cost of providing public facilities commensurate with the needs of the chosen use, density and/or intensity; and

WHEREAS, system development charges are separate from and in addition to any applicable tax, assessment, charge, fee in lieu of assessment, or other fee provided by law or imposed as a condition of development; and

WHEREAS, system development charges are fees for services because they are based upon a development’s receipt of services considering the specific nature of the development; and

WHEREAS, system development charges are imposed on the activity of development, not on the land, owner, or property, and, therefore, are not taxes on property or on a property owner as a direct consequence of ownership of property within the meaning of Section 11, Article XI of the Oregon Constitution or the legislation implementing that section; and

WHEREAS, revenues from the system development charges are to be used for capital improvements in the unincorporated areas outside the cities of La Pine, Sisters, Redmond and Bend; and

WHEREAS, the methodology proposed by Deschutes County Road Department (“Department”) staff, identifies the uses of an “improvement fee” SDC, and a “reimbursement fee” SDC, and considers the transportation capital improvement needs of the unincorporated county; and

WHEREAS, the methodology proposes applying the SDCs to future development of properties within the unincorporated county and outside the cities of Sisters, La Pine, Redmond and Bend; and

WHEREAS, the Board determined that it is in the public interest to provide transportation capital facilities through the use of general county revenues, SDCs, and matching funds from the State of Oregon; now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, as follows:

Section 1. ~~The Board has previously adopted Resolution 2008-059 establishing a Transportation SDC and methodology in 2008 and subsequently updated the methodology via Resolution 2013-020 in 2013. Resolution 2013-020 is hereby amended by a report titled “Technical Memorandum: Transportation SDC Update”, dated July 10, 2024, prepared by Chris Doty, PE, Road Department Director, attached as Exhibit “A” and incorporated by reference (herein “Methodology” or “Methodology Report”). In the event of a conflict between the reports contained within the prior resolutions and the Methodology Report, the latter shall control. The Board authorizes the assessment and collection of transportation system development charges in the unincorporated areas of Deschutes County.~~

~~The Board in Resolution No. 2008-059 adopted the report, titled Transportation System Development Charge Study prepared by FCS Group Inc. and DKS Associates, dated March 2008 (FCS Group Report) which is hereby amended by a report titled “Transportation System Development Charge Update”, dated April, 2013, prepared by Deschutes County Road Department, attached as Exhibit “A” and incorporated by reference (herein “Methodology” or “Methodology Report”). In the event of a conflict between the FCS Report and Methodology Report, the latter shall control. The Board authorizes the assessment and collection of transportation system development charges in the unincorporated areas of Deschutes County.~~

Section 2. The Board adopts the System Development Charge Project List, attached as Exhibit “B,” and incorporated by reference (“Capital Improvement Plan”). The Capital Improvement Plan hereby supersedes the capital improvement plan which was adopted as part of Resolution No. ~~2008-059~~2013-020.

Section 3. DEFINITIONS.

- (A) “Applicant” shall mean the owner or other person who applies for a building or development permit in the unincorporated areas of Deschutes County outside the boundaries of the cities of La Pine, Sisters, Redmond and Bend.
- (B) “Building” shall mean any structure, built for the support, shelter or enclosure of persons, chattels or property of any kind.
- (C) “Building Permit” shall mean an official document or certificate authorizing the construction or siting of any building.
- (D) “Capital Improvement” shall mean a public facility or asset used for Transportation in the unincorporated areas outside the urban growth boundaries of the cities of La Pine, Sisters, Redmond and Bend.
- (E) “Citizen or Other Interested Person” shall mean any person whose legal residence is within the unincorporated areas of Deschutes County outside the urban growth boundaries of the cities of La Pine, Sisters, Redmond and Bend, as evidenced by registration as a voter, or by other proof of residency; or a person who owns, occupies, or otherwise has an interest in real property which is located within the unincorporated area of Deschutes County outside the urban growth boundaries of the cities of La Pine, Sisters Redmond and Bend.
- (F) “County” shall mean Deschutes County, Oregon.
- (G) “Department” shall mean the Deschutes County Road Department.

- (H) “Development” shall mean a building or other land construction, or making a physical change in the use of a structure or land, in a manner which increases the usage of any capital improvements or which may contribute to the need for additional or enlarged capital improvements.
- (I) “Development Permit” shall mean an official document or certificate, issued by Deschutes County, other than a building permit, authorizing development.
- (J) “Encumbered” shall mean monies committed by contract or purchase order in a manner that obligates the County to expend the encumbered amount upon delivery of goods, the rendering of services, or the conveyance of real property provided by a vendor, supplier, contractor or Owner.
- (K) “Improvement Fee” shall mean a fee for costs associated with capital improvements to be constructed after the effective date of this resolution. Notwithstanding anything in this resolution to the contrary, it is an incurred charge or cost based upon the use of or the availability for use of the systems and capital improvements required to provide services and facilities necessary to meet the routine obligations of the use and ownership of property, and to provide for the public health and safety upon development.
- (L) “Manufactured Housing” shall mean a dwelling unit constructed primarily off-site and transported to another site for use. A unit located in a designated mobile home park shall be considered a manufactured housing dwelling unit; otherwise a manufactured housing unit shall be considered a single-family dwelling unit.
- (M) “Multi-family housing” shall mean attached residential dwelling units.
- (N) “Occupancy Permit” shall mean an official document or certificate authorizing the occupation or use of any building or improvement authorized by a building permit.
- (O) “Owner” shall mean the person holding legal title to the real property upon which development is to occur.
- (P) “Person” shall mean an individual, a corporation, including without limitation, limited liability corporation, a partnership, an incorporated association, or any other similar entity.
- (Q) “Qualified Public Improvement” shall mean a capital improvement that is:
 - (1) Required as a condition of development approval; and
 - (2) Identified in the capital improvement plan adopted pursuant to this resolution; and either:
 - (a) Not located on or contiguous to property that is the subject of development approval; or
 - (b) Located in whole or in part on or contiguous to property that is the subject of development approval and required to be built larger or with greater capacity than is necessary for the particular development project to which the improvement fee is related.
- (R) “Reimbursement fee” means a fee for costs associated with capital improvements constructed or under construction by the County on the effective date of this resolution.
- (S) “Road Department Director” or “Director” shall mean the appointed Road Department Director of Deschutes County, Oregon or the Director’s designee.

- (T) “Single-family housing” shall mean a detached residential dwelling unit located on an individual lot.
- (U) “System Development Charge” or “SDC” shall mean a reimbursement fee, an improvement fee, or a combination thereof and an administrative recovery charge, assessed or collected at the time of increased usage of a capital improvement or issuance of an occupancy permit. System development charges are separate from and in addition to any applicable tax, assessment, fee in lieu of assessment, or other fee or charge provided by law or imposed as a condition of development.
- (V) “System Development Charges Methodology” shall mean the methodology set forth in the ~~FCS Group Report as modified by the~~ Methodology Report.

Section 4. APPLICABILITY.

- (A) A Transportation System Development Charge is hereby assessed and imposed upon all new development for which a building permit or a development permit is required and issued within all unincorporated areas of the County outside the cities of La Pine, Sisters, Redmond and Bend. From and after assessment, the transportation system development charge shall run with the property, not with any structure attached to the property. Development shall mean and include new construction, alteration, expansion or replacement of a building or dwelling unit. Non-residential, farm-related buildings for growing and/or storing agricultural products to be used on site, and that do not generate additional commercial traffic, are exempt.

~~1) All development subject to payment of the City of Bend Transportation SDC via the Water and Sewer Agreement between the City of Bend and Cascade Highlands Limited Partnership (recorded agreement #2005-73584) shall pay 50% of the Transportation SDC for the specific use.~~

- (B) Consideration of existing use.
 - 1) If construction, alteration, expansion, replacement, or change-of-use results in an increase in the calculated number of peak hour trips generated by the development or the property on which the development is located, as compared to the pre-development number of calculated peak hour trips, then a new Transportation SDC shall apply. The amount of the system development charge to be paid shall be the difference between the calculated trips generated from the proposed development and the calculated trips generated from the property prior to the construction, alteration, expansion or replacement. If the change in use results in a Transportation SDC for the proposed use which is less than the Transportation SDC for the use being replaced, then no new or additional SDC shall be assessed and no refund or credit shall be given.
 - 2) If the previous development or prior use of the property, which was not subject to SDC payment, has been abandoned for at least two consecutive years, as determined by the Community Development Department under the County Code, then no consideration of existing use shall occur and a new SDC assessment shall apply. However, if such development or use was discontinued due to fire, natural disaster or required demolition on account of public health and safety, then the two-year time period will be extended to 10 consecutive years.
 - 3) Previously paid SDCs shall be credited to the property regardless of any period of abandonment. The credit shall be based on the number of PM peak hour trips generated by the development at the time of original SDC assessment.

- (C) The Transportation System Development Charges (SDC's) shall be determined as follows:
- (1) For those land-use categories which are specifically identified in the most recent edition of the Institute of Traffic Engineers (ITE) Trip Generation Manual or the Methodology Report adopted pursuant to this resolution, the SDC amount shall be determined as identified in the Methodology Report, unless otherwise approved by the Director.
 - (2) For land-use categories for which no trip generation rate is included in the Methodology Report (or ITE Trip Generation Manual), the Director shall use the land-use category identified in the Methodology Report (or ITE Trip Generation Manual) that is most similar to the subject land use category and apply the corresponding trip generation rate. The Director may consider seasonal and/or cyclical variations to adjust the calculation of peak hour trip rates. An applicant who disagrees with the Director's decision may appeal this decision as outlined in Section 12 of this Resolution.
- (D) Applicants may submit a request for an alternative trip generation rate and corresponding system development charges for a development, subject to the following conditions:
- (1) In the event an applicant believes that the trip generation impact on County capital improvements resulting from the development is less than the trip generation rates used to establish the SDC fee established by this Resolution, the applicant may submit a calculation for an alternative system development charge to the Director, but no later than the issuance of a building permit.
 - (2) The alternative system development charges rate calculations shall be based on data, information and assumptions contained in this Resolution and the Methodology or an independent source, provided that the independent source is:
 - (a) a study supported by a data base adequate for the conclusions contained in such study;
 - (b) the study is performed using a generally accepted methodology and is based upon generally accepted standard sources of information relating to facilities planning, cost analysis and demographics;
 - (c) The demonstrated number of peak hour trips is at least ten (10%) percent less than the number of peak hour trips set forth in the Methodology Report or otherwise calculated by the Director pursuant to subsection (B) of this Section; and
 - (d) the demonstrated number of peak hour trips shall be documented by a registered traffic engineer or otherwise qualified professional engineer.
 - (3) The Director shall issue a written decision within ten (10) working days from the date of receipt of a complete application and shall notify the applicant by regular mail.
 - (4) If the Director determines that the data, information and assumptions utilized by the applicant to calculate the alternative system development charges rates satisfy the requirements of this subsection and have been timely submitted, the alternative system development charges rates shall be paid in lieu of the rates set forth in or otherwise determined by the Director under this Resolution.
 - (5) If the Director determines that the data, information and assumptions utilized by the applicant to calculate the alternative system development charges rates do not satisfy the

requirements of this subsection or have not been timely submitted, the Director shall deny the application and apply the rates established by the Director.

- (E) Subject to the provisions of this Resolution, the County hereby assesses and shall collect a transportation system development charge (“SDC”) on the following schedule:
 - (1) at the initial rate of ~~\$3,7585,691~~ per PM peak hour trip, consisting of a ~~\$3,6254,234~~ improvement fee, a ~~\$1,38786~~ reimbursement fee, and a ~~\$7047~~ administrative recovery charge.
- (F) For SDC’s that have been assessed, but not yet been paid as of the effective date of this Resolution, the property owner shall pay the lesser of the applicable SDC charge determined under Resolution No. ~~2008-059~~2013-020 or this Resolution.
- (G) Unless otherwise adjusted by order of the Board of County Commission, on each succeeding July 1 after ~~2014~~2024, the SDC, consisting of the improvement fee, the reimbursement, if any and the administrative recovery charge shall be adjusted by the annual percentage increase or decrease in the construction cost index, published in the immediately preceding January by the Engineering News Record for the City of Seattle, Washington. ~~The calculation shall use the immediately preceding July 1 and the then applicable rate per peak hour trip as the starting point.~~

Section 5. COLLECTION.

- (A) The Transportation SDC’s shall be collected and paid in full no later than the date of submittal of an application for an occupancy permit. An applicant may elect to pay an SDC over a ten-year period under the provisions of DCC 15.12.060.
- (B) In cases where an occupancy permit is not required, the Transportation SDC shall be collected and paid in full no later than the date on which the property is used in the manner approved by the development permit. An applicant may elect to pay an SDC over a ten-year period under the provisions of DCC 15.12.060.
- (C) Notwithstanding the receipt of an occupancy permit or the use of the property pursuant to a development permit without payment of the SDC, the SDC liability shall survive and be a personal obligation of the permittee.
- (D) Intentional failure to pay the SDC within sixty (60) days of the due date shall result in a penalty equal to fifty percent (50%) of the SDC. Interest shall accrue on and after 60 days after the due date at the rate of nine (9%) percent per annum.
- (E) In addition to an action at law and any statutory rights, the County may:
 - (1) Refuse to issue a Certificate of Occupancy;
 - (2) Refuse to issue any permits of any kind to the delinquent permittee for any development;
 - (3) Condition any development approval of the delinquent permittee on payment in full, including penalties and interest;
 - (4) If the property becomes occupied prior to issuance of a Certificate of Occupancy, initiate code enforcement proceedings;
 - (5) For purposes of this section, delinquent permittee shall include any person controlling a delinquent corporate permittee and, conversely, any corporation controlled by a delinquent individual permittee.

Section 7. CREDITS FOR DEVELOPER CONTRIBUTIONS OF QUALIFIED PUBLIC IMPROVEMENTS.

- (A) The County may grant a credit against the improvement fee portion, if any, of system development charges imposed pursuant to this Resolution for the construction of any qualified public improvement.
- (B) Prior to issuance of a development permit, the applicant shall submit to the County a proposed plan and estimate of cost for the applicant to construct one or more qualified public improvements. The proposed plan and estimate shall include:
 - (1) a designation of the development project for which the proposed plan is being submitted;
 - (2) a legal description of any land proposed to be donated, if any, and documentation as to the seller and purchase price;
 - (3) a list of the contemplated capital improvements contained within the development plan;
 - (4) an estimate of construction costs for the contemplated capital improvements certified by a professional architect or engineer; and
 - (5) a proposed time schedule for completion of the proposed capital improvements.
- (C) The credit provided for construction of a qualified public improvement shall be only for the cost of that portion of such improvement that exceeds the minimum standard facility size and must be designed and constructed to provide additional capacity to meet projected future transportation needs. Projected future transportation needs shall be determined by reference to the Deschutes County Transportation System Plan. Improvements that address capacity deficiencies existing at the time of development are not eligible. In the case of improvements addressing both capacity deficiencies and adding future capacity, only that portion providing future capacity is eligible. The applicant shall have the burden of demonstrating that a particular improvement qualifies for credit.
- (D) The Director is authorized to determine that the timing, location, design and scope of proposed improvement is consistent with and furthers the objectives of the County's capital improvements program and either:
 - (1) the improvement is required to fulfill a condition of development approval; or
 - (2) the improvement is within the impact area of the development. For purposes of this section, impact area is that geographic area determined by the Director in which the estimated peak hour traffic to be generated by the development exceeds ten (10%) percent of the existing average peak hour traffic. Existing traffic volumes shall be those observed and measured within six months prior to filing the development application, adjusted for daily and seasonal traffic variations using factors provided by the Director.
- (E) Credit eligibility shall be determined by the Director. In addition to meeting the standards of this section, the following shall control:
 - (1) No credits shall be issued for design or construction costs associated with landscaping, street lighting, storm sewers, sidewalks, and erosion control; or sound walls, berms or other such mitigation devices.
 - (2) Road right-of-way required to be dedicated pursuant to the applicable comprehensive plan or development condition is not creditable. The reasonable market value of land purchased

by the applicant from a third party that is necessary to complete a required off-site improvement is creditable. The Director may require an applicant at the applicant's expense to furnish an appraisal to determine the market value of such property.

- (3) No credit shall be granted for utility relocation except for that portion which otherwise would have been the legal obligation of the County pursuant to a tariff, easement or similar relationship if the project had been undertaken by the County.
 - (4) No credit shall be granted for minor realignments not designated on the comprehensive plan.
 - (5) No more than 13.5 percent of the total eligible construction cost shall be creditable for survey, engineering, inspection and permit fees.
- (F) All requests for credit vouchers must be in writing and filed with the Director not more than 90 days after County acceptance of the improvement. Improvement acceptance shall be in accordance with the County's policies, practices, procedures and standards. The amount of any credit shall be determined by the Director and based upon the subject improvement construction contract documents, or other relevant information, provided by the applicant for the credit. Upon a finding by the Director that the contract amounts exceed prevailing market rates for a similar project, the credit shall be based upon market rates. The Director shall provide the applicant with a credit voucher, on a form provided by the Department. The original of the credit voucher shall be retained by the Department. The credit voucher shall state a dollar amount that may be applied only against the SDC otherwise imposed by the County against the subject property. In no event shall a subject property be entitled to redeem credit vouchers in excess of the SDC imposed. Under no circumstances will the County be required to pay an applicant in cash, as consideration for the improvement. This paragraph applies only to issuance of credit vouchers and does not extend the deadline for credit redemption or otherwise modify the credit redemption deadline.
- (G) Credits shall be apportioned against the property which was the subject of the application to construct an improvement eligible for credit. Unless otherwise requested, apportionment against lots or parcels constituting the property shall be proportionate to anticipated average peak hour trips generated by the respective lots or parcels. Upon written application to the Director, however, credits shall be reapportioned from any lot or parcel to any other lot or parcel within the confines of the property originally eligible for the credit. Reapportionment shall be noted on the original credit voucher retained by the Department.
- (H) Any credits issued pursuant to this Resolution are assignable, however, they shall apply only to that property subject to the original condition for land use approval upon which the credit is based or any partitioned or subdivided parcels or lots of such property to which the credit has been apportioned. Credits shall only apply against SDC's, are limited to the amount of the improvement fee attributable to the development of the specific lot or parcel for which the credit is sought, and shall not be a basis for any refund.
- (I) Any credit must be redeemed not later than the issuance of the occupancy permit. The applicant is responsible for presentation of any credit prior to issuance of the occupancy permit. Under no circumstances shall any credit redemption be considered after issuance of an occupancy permit.
- (J) Credit vouchers shall expire on the date ten (10) years after the acceptance of the applicable improvement by the county. No extension of this deadline shall be granted.

Section 8. FUND ESTABLISHED. The County hereby establishes a fund to be designated as the "Countywide Transportation SDC Improvement Fee Fund," (herein Transportation SDC Fund or the Fund).

- (A) All SDC payments shall be deposited into the Transportation SDC Fund immediately upon receipt.
- (B) The monies deposited into the Fund designated as the “Countywide Transportation SDC Improvement Fee Fund,” including interest on the Fund, shall be maintained separate and apart from all other accounts of the County and shall be used solely for the purpose of providing the capital improvements that provide for the increased capacity necessitated by new development, including but not limited to:
 - (1) Design and construction plan preparation;
 - (2) Permitting and fees;
 - (3) Property acquisition, including any costs of acquisition, relocation or condemnation;
 - (4) Construction of capital improvements;
 - (5) Design and construction of storm and surface water drainage facilities associated with the construction of capital improvements and structures;
 - (6) Relocating utilities associated with the construction of improvements and structures;
 - (7) Landscaping within the right of way or upon property disturbed by the construction of capital improvements;
 - (8) Capital construction management and inspection;
 - (9) Surveying, soils and material testing;
 - ~~(10) Acquisition of capital equipment used on association with capital construction or road maintenance or both;~~
 - (11) Repayment of monies transferred to or borrowed from any budgetary fund of the County, including interest, which were used to fund any of the capital improvements as herein provided;
 - (12) Payment of principal and interest, necessary reserves and costs of issuance under any bonds or other indebtedness issued by the County to fund capital improvements;
 - (13) Direct costs of complying with the provisions of ORS 223.297 to 223.314, including the consulting, legal, and administrative costs required for developing and updating the SDC, the methodology, resolution, and capital improvements master plan; administration of credit applications and apportionment; and the costs of collecting SDC’s and accounting for SDC receipts and expenditures.

Section 9. INVESTMENT OF TRANSPORTATION SDC FUND REVENUE.

- (A) Any funds on deposit in Transportation SDC Fund that is not immediately necessary for expenditure shall be invested by the County.
- (B) All income derived from such investments shall be deposited in the appropriate SDC trust fund and used as provided herein.

Section 10. ANNUAL ACCOUNTING REPORTS. The Director shall prepare an annual report accounting for SDC funds received, including the total amount of SDC improvement fee revenue collected in each fund, and expenditures.

Section 11. CHALLENGE OF EXPENDITURES.

- (A) Any citizen or other interested person may challenge an expenditure of SDC revenues.
- (B) Such challenge shall be submitted, in writing on a form approved by the County, to the Department for review within two (2) years following the subject expenditure, and shall include the following information:
 - (1) The name and address of the citizen or other interested person challenging the expenditure;
 - (2) The amount of expenditure, the project, payee or purpose, and the approximate date on which it was made; and
 - (3) The reason why the expenditure is being challenged.
- (C) If the Director determines that the expenditure was not made in accordance with the provisions of this resolution and other relevant laws, a reimbursement of SDC fund revenues from other funds shall be made within one (1) year following the determination that the expenditure was not appropriate.
- (D) The County shall make written notification of the results of the expenditure review to the citizen or other interested person who requested the review within ten (10) days of completion of the review.

Section 12. APPEALS AND REVIEW HEARINGS.

- (A) An applicant who is required to pay system development charges shall have the right to request a hearing to review a decision only in the following matters:
 - (1) A land-use category and/or seasonal/cyclical variations used by the Director to determine the SDC amount pursuant to Section 4.
 - (2) An alternative rate calculation pursuant to subsection (C) of Section 4.
 - (3) A proposed credit for contribution of qualified public improvements pursuant to Section 7.
- (B) Such hearing shall be requested by the applicant within thirty (30) days of the date of first receipt of the Director's decision. Failure to request a hearing within the time provided shall be deemed a waiver of such right.
- (C) The request for hearing shall be filed with the Director and shall contain the following:
 - (1) The name and address of the applicant;
 - (2) The legal description of the property in question;
 - (3) If issued, the date the building permit or development permit was issued;
 - (4) A brief description of the nature of the development being undertaken pursuant to the building permit or development permit;
 - (5) If paid, the date the system development charges were paid; and
 - (6) A statement addressing the decision subject to review set forth in subsection (A) of this section and the reasons why the applicant is challenging the decision.

- (D) Upon receipt of such request, the County shall schedule a hearing before the Board of Commissioners at a regularly scheduled meeting or a special meeting called for the purpose of conducting the hearing and shall provide the applicant written notice of the time and place of the hearing. Such hearing shall be opened within forty-five (45) days of the date the request for hearing was filed.
- (E) Such hearing shall be before the Board of Commissioners and shall be conducted in a manner designed to obtain all information and evidence relevant to the requested hearing. Formal rules of civil procedures and evidence shall not be applicable; however, the hearing shall be conducted in a fair and impartial manner with each party having an opportunity to be heard and to present information and evidence.
- (F) Appeal of the decision of the Board shall be made to the Circuit Court of Deschutes County.

Section 13. FULL FORCE AND EFFECT. If any clause, section or provision of this resolution shall be declared unconstitutional or invalid, the remaining portions of said resolution shall be in full force and effect and be valid as if such invalid portion had not been adopted. Nothing contained herein shall be construed as invalidating any assessment or collection of system development charges pursuant to Resolution No. ~~2008-059,2013-020~~ nor any project funded in whole or in part with funds collected thereunder. In addition, all funds assessed and collected pursuant to Resolution No. ~~2008-059,2013-020~~, which have not been committed, shall be treated in the same manner as funds received pursuant to Section 8 of this Resolution.

Section 14. EFFECTIVE. This resolution is effective immediately upon adoption by the Board of County Commissioners. ~~The SDC established by Resolution No. 2008-059 shall first apply to building permits for which a building permit application is accepted by the County as complete on and after October 1, 2008.~~ The SDC established by Resolution No. 2013-020 shall first apply to building permits or development approvals for which a building permit or development application was accepted by the County as complete ~~on and after~~ prior to the effective date of this resolution.

DATED this ____ day of _____, 202413.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

~~ALAN UNGER~~PATTI ADAIR, Chair

~~TAMMY BANEY~~ANTHONY DEBONE, Vice Chair

ATTEST:

Recording Secretary

~~ANTHONY DEBONE~~PHIL CHANG, Commissioner