

## RESOLUTION NO. 2813

### A RESOLUTION ADOPTING A DEFERRAL PROGRAM FOR FEES IN LIEU OF PARKING SPACES FOR BUILDERS IN THE CITY OF BEND

#### Findings

- A. The economic downturn has severely and negatively affected the building industry.
- B. A healthy building industry is vital to meeting various City of Bend goals including increasing construction related employment.
- C. The City Council believes that a short term program for deferral of fees in lieu of parking spaces will provide builders with some financial relief.

#### Based on these findings,

#### THE CITY COUNCIL OF THE CITY OF BEND RESOLVES AS FOLLOWS:

1. Qualified builders in the Central Business Zone as defined in Chapter 10 -10 of the Bend Code may be eligible to defer payment of fees in lieu of parking spaces for up to twelve months, or through the time of application for an occupancy permit for a particular structure, whichever is earlier.
2. To qualify, builders must undergo an application process which may include a credit review and shall include the submission of a current preliminary title report. Application for deferral shall be filed when the application for a building permit is submitted to the Community Development Department. Deferral of fees in lieu of parking spaces will not be granted if the application is not filed in accordance with this Resolution.
3. The City may enter the amount of the deferred fees in the City's lien docket. In order to participate in the program, builders may be required to execute and record a Trust Deed regarding the applicable real estate and securing the amount of the fees.
4. In the event the builder is unable to pay the deferred fees when due in accordance with Section 1 of this resolution, builders will be charged a \$100 fee and interest at 12% per year effective after the end of the allowed deferral period. In addition, participating builders will be required to waive all rights to contest the amount and means of calculating the fees.
5. This program will expire on November 30, 2011. The City reserves the right to terminate the program at any time. The City Manager is authorized to establish additional rules and application forms for the implementation of this program.
6. This program shall apply to residential and nonresidential developments in the Central Business Zone, except for properties that are subject to existing development or

settlement agreements or properties for which applications for a building permit have already been submitted.


7. This resolution shall be effective December 1, 2010.


Adopted by the City Council the 20th day of October 2010.

YES: 6                      NO: 0

Authenticated by the Mayor the 20th day of October 2010.

Approved as to form:

  
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Gary Firestone, Legal Counsel

  
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Kathie Eckman, Mayor

Attest:

  
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Patricia Stell, City Recorder