



**PUBLIC WORKS DEPARTMENT  
ENGINEERING DIVISION**

# **Stormwater Management Fee Credit Manual For Developed Properties Except Single Family Homes**

**A Process for Owners of Developed Properties (except Single Family Residential  
Properties) to Receive Credits for Mitigating Stormwater System Impacts**

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# **CHAPTER 1 – INTRODUCTION**

On May 5, 2003, the City Council of the City of Newberg passed **Ordinance 2003-2571**, amending the Newberg Municipal Code to add a new chapter (Chapter 13.20) regulating the City stormwater system.

On August 2, 2004, the City Council adopted **Ordinance 2004-2606**, amending City Municipal Code allowing for stormwater management fee credits upon applications by owners of developed properties except single family homes. The City Council also passed **Resolution 2004-2525**, adopting the stormwater system design standards, a stormwater education program, and the stormwater capital improvement program, and continuing the monthly fee. The amount of credit was further amended by the adoption of **Ordinance 2004-2609** on October 18, 2004. The City is responsible for planning, administration, design, construction, maintenance, and operation of stormwater system citywide. The City promotes stormwater education, provides design standards and manages Stormwater Capital Improvement Program.

This manual is created to provide a process for owners of developed properties except single-family residential properties<sup>t1</sup> to receive credits for mitigating their stormwater system impacts. The monthly fees are established on the basis of the amount of impervious surface areas<sup>t2</sup> such as roof tops, parking lots, and driveways on properties within the City. Any credits on the stormwater fees shall be administered in accordance with the guidelines adopted by the City Council. Rates for the monthly stormwater fees are subject to change, as approved by the City Council, based on review and recommendation by the Citizens' Rate Review Committee every two years. Please read the entire manual and use the standard application form on page 7 of this manual.

## Footnotes:

<sup>t1</sup> Use a separate and different storm credit application for single-family residential properties.

<sup>t2</sup> One Equivalent Dwelling Unit (EDU) is defined as 2,877 square feet of impervious area, the typical amount for an average duplex unit or single-family dwelling. For multi-family and non-residential properties, the impervious areas are translated into whole numbers of EDU's.

# **CHAPTER 2 – APPLICATION & APPEAL PROCESS**

## **APPLICATION PROCESS**

A property owner who has provided an acceptable stormwater management (SWM) improvement on-site that exceeds the City of Newberg design standards for development other than single family homes, or maintained quality care on drainage may apply for a credit on the stormwater service charge applied to the same property. The resulting credit shall be commensurate with the mitigating effects of the improvement on stormwater runoff. The City shall consider an adjustment or reduction of the monthly fee upon application by the property owner or his/her legal representative to the City (See Appendix A).

The applicant must use the standard form and follow the instructions in **Chapter 3** of this manual. Once a completed application is received by the City, it will be reviewed in two to four weeks. If approved, the applicant will be notified by mail and a rate adjustment will be made retroactive to the date that the application was received. The applicant will also be informed by mail if the application is incomplete, or requires correction or clarification by the applicant.

The rate adjustment shall remain in effect provided that:

- (a) The responsible person has secured a City permit and the on-site stormwater facility has been constructed in accordance with all approved plans and design criteria;
- (b) The conditions for fee adjustment as noted in the application are properly maintained;
- (c) The property owner maintains financial responsibility for the operation and maintenance of on-site improvements;
- (d) The City shall have full access to the on-site improvements for the purpose of inspecting its compliance with the design, maintenance and operating standards; and
- (e) The renewal of the adjustment is granted upon re-application for the upcoming year on or before December 31 of each year.

## **APPEAL PROCESS**

The applicant who disagrees with the City staff decision on the stormwater rate adjustment may appeal said decision within thirty (30) days of receipt of notification of the decision. The appeal shall be in writing, addressed to the Public Works Director or designee, and provide a brief explanation of the disagreement. The appeal should list the date of the original decision and location of the facility and property. The appeal should also list any actions leading up to the City's decision (such as any discussion between the City and the applicant prior to the appeal) and the specific grounds on which the appeal is being filed. The appeal will not waive the monthly stormwater fee or extend its payment deadline. The Public Works Director or designee shall review the appeal and provide a response in writing within sixty (60) days of the receipt of the appeal.

If still unresolved, the applicant may further appeal the decision of the Public Works Director or designee within fourteen (14) days of the date of receipt of the decision. The appeal shall be in writing, addressed to the City Manager, and provide the same level of detail as the original appeal. The City Manager shall review the appeal and respond with a decision in writing within fourteen

(14) days of the receipt of that appeal. The City Manager’s decision shall be final and appealable only by way of writ of review in Circuit Court (See Appendix A).

## **CHAPTER 3 – APPLICATION**

The owner of a developed property, except single-family residential property, who has provided an acceptable on-site improvement that exceeds the City of Newberg design standards and permitted conditions for that type of development, may apply for the stormwater management fee credit toward the same property. The applicant shall complete an application form and send it with all the necessary supporting documents to the following mailing address:

City of Newberg  
Public Works Department – Engineering Division  
Attention: Stormwater Management Credit  
414 E. First Street  
P.O. Box 970  
Newberg, OR 97132

The applicant shall review the conditions for the fee adjustment (see back of application form) and satisfy any single of the seven conditions or any combination of the seven conditions. The applicant is encouraged to read and understand the **City of Newberg Municipal Code Chapter 13.20**, which regulates the City stormwater system.

Payment of an application fee is not required at this time. Filing this application is an acknowledgement of the right-of-entry of the City of Newberg to inspect and verify the information contained in said application.

### **Supporting documents are required to evaluate each credit application.**

For conditions #(1) through #(4), submit the following:

- (a) A storm drainage plan at pre-development and post-development levels.
- (b) Engineering calculations indicating that the constructed on-site stormwater facility shall mitigate the relevant storm events.  
For example, the site has a storm detention facility designed to meet the 10-year storm such that the post-development runoff from the site shall not exceed the pre-development runoff for the same 10-year storm event.
- (c) A completed application form with applicant's signature and engineer's certification of the accuracy of the credit application material.

For condition #(5), submit the following:

- (a) A storm drainage plan at post-development level.
- (b) Describe what kind of best management practices that have been implemented for the paved surfaces on site to protect water quality of the storm runoff.  
For example, the site has water quality manhole(s) or oil/grit separator(s) to collect storm runoff from all paved surfaces. In this case, show the location of water quality manhole(s) on the storm drainage plan.

- (c) A verifiable maintenance schedule to clean and maintain the water quality facility. Provide cleaning or maintenance invoices/receipts or maintenance records for verification.
- (d) A completed application form with applicant's signature certifying the accuracy of the credit application material.

For condition #(6), submit the following:

- (a) A storm drainage plan at post-development level (show water quality facility).
- (b) Engineering calculations indicating that the constructed on-site stormwater quality facility shall improve the water quality of the storm runoff.  
For example, the site has one or more vegetated swales to slow the flow, and allow pollutant removal prior to discharge into the creek.
- (c) A verifiable maintenance schedule to clean and maintain the water quality facility. Provide cleaning or maintenance invoices/receipts or maintenance records for verification.
- (d) A completed application form with applicant's signature and engineer's certification of the accuracy of the credit application material.

For condition #(7), submit the following:

- (a) An implementation plan (to increase employee and/or public awareness of the impact of stormwater discharge on water bodies and the small steps they can do to minimize erosion, control sediments, reduce storm runoff and the pollutants in storm runoff).  
For example, the owner can sponsor an awareness program and distribute brochures or fact sheets targeted at employees, residents, and/or students; and/or conduct community-based projects such as storm drain stenciling on private facilities and watershed cleanups; and/or provide information on the impact of illegal discharges into storm drains.
- (b) A completed application form with applicant's signature certifying the accuracy of the credit application material.

For any questions regarding the Stormwater Management Credit Application, please contact:

City of Newberg – Public Works Department/Engineering Division  
Phone: 503.554.1751  
Fax: 503.537.1277  
Email: [engineering@newbergoregon.gov](mailto:engineering@newbergoregon.gov)

**CITY OF NEWBERG – PUBLIC WORKS DEPARTMENT  
STORMWATER MANAGEMENT FEE CREDIT APPLICATION FORM**

**SECTION A – APPLICANT**

NAME (OWNER OR LEGAL REP): \_\_\_\_\_  
 MAILING ADDRESS:  
 CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
 PHONE: (\_\_\_\_) \_\_\_\_\_ FAX: (\_\_\_\_) \_\_\_\_\_  
 EMAIL: \_\_\_\_\_

**SECTION B – SITE INFORMATION**

NAME (BUSINESS/INSTITUTION/MULTI-FAMILY): \_\_\_\_\_  
 SITE ADDRESS OR TAX LOT: \_\_\_\_\_  
 IMPERVIOUS AREA: \_\_\_\_\_ SQUARE EDU'S: \_\_\_\_\_

**SECTION C – ENGINEER OF RECORD (If REQUIRED, SEE SECTION H)**

NAME: \_\_\_\_\_ REGISTRATION NO: \_\_\_\_\_  
 COMPANY: \_\_\_\_\_  
 MAILING ADDRESS:  
 CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
 PHONE: (\_\_\_\_) \_\_\_\_\_ FAX: (\_\_\_\_) \_\_\_\_\_  
 EMAIL: \_\_\_\_\_

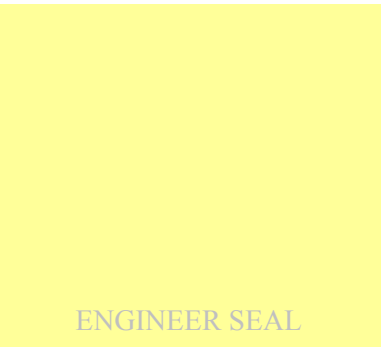
**SECTION D – ADJUSTMENTS**

CIRCLE APPLICABLE CONDITION(S):  
 1    2    3    4    5    6    7

**SECTION E – OWNER**

\_\_\_\_\_  
 NAME (OWNER OR LEGAL REP)  
 \_\_\_\_\_  
 SIGNATURE  
 \_\_\_\_\_  
 DATE

**SECTION F – ENGINEER**

\_\_\_\_\_  
 SIGNATURE  
  
 \_\_\_\_\_  
 ENGINEER SEAL                      DATE

**SECTION G – CITY REVIEW (office use only)**

RECEIVED: _____	REVIEWED (1 <sup>ST</sup> ): _____	APPROVED: _____	DENIED: _____
RESUBMITTED: _____	REVIEWED (2 <sup>ND</sup> ): _____	APPROVED: _____	DENIED: _____
APPEALED: _____	REVIEWED (3 <sup>RD</sup> ): _____	APPROVED: _____	DENIED: _____
APPEALED: _____	REVIEWED (4 <sup>TH</sup> ): _____	APPROVED: _____	DENIED: _____



<b>SECTION H – CONDITIONS FOR FEE ADJUSTMENT</b>	<b>MAXIMUM REDUCTION IN FEE UPON APPROVAL</b>	<b>LICENSED ENGINEER CERTIFICATION REQUIRED</b>
<p data-bbox="183 331 776 405"><b>ON-SITE STORMWATER MANAGEMENT PROVIDED FOR:</b></p> <p data-bbox="183 426 776 457">(1) 2-YEAR 24-HOUR FLOOD</p> <p data-bbox="183 478 776 510">(2) 10-YEAR 24-HOUR FLOOD</p> <p data-bbox="183 531 776 562">(3) 25-YEAR 24-HOUR FLOOD</p> <p data-bbox="183 583 776 615">(4) 100-YEAR 24-HOUR FLOOD</p>	<p data-bbox="914 426 971 457">10%</p> <p data-bbox="914 478 971 510">10%</p> <p data-bbox="914 531 971 562">10%</p> <p data-bbox="914 583 971 615">10%</p>	<p data-bbox="1239 426 1295 457">YES</p> <p data-bbox="1239 478 1295 510">YES</p> <p data-bbox="1239 531 1295 562">YES</p> <p data-bbox="1239 583 1295 615">YES</p>
<p data-bbox="183 678 776 741"><b>BEST MANAGEMENT PRACTICES PROVIDED FOR:</b></p> <p data-bbox="183 762 776 835">(5) PAVED SURFACES FOR WATER QUALITY PROTECTION</p> <p data-bbox="183 856 776 930">(6) STORMWATER RUNOFF FOR WATER QUALITY IMPROVEMENT</p>	<p data-bbox="914 762 971 793">10%</p> <p data-bbox="914 856 971 888">20%</p>	<p data-bbox="1239 762 1295 793">NO</p> <p data-bbox="1239 856 1295 888">YES</p>
<p data-bbox="183 982 776 1045"><b>ONGOING EDUCATIONAL PROGRAM PROVIDED FOR:</b></p> <p data-bbox="183 1066 776 1140">(7) WATER QUALITY &amp; QUANTITY PROTECTION</p>	<p data-bbox="914 1066 971 1098">10%</p>	<p data-bbox="1239 1066 1295 1098">NO</p>
<p data-bbox="183 1192 776 1329">OR ANY COMBINATION OF THE ABOVE SEVEN (7) CONDITIONS SUCH THAT THE MAXIMUM DOES NOT EXCEED 50%</p>		

**APPENDIX A –  
CITY MUNICIPAL CODE CHAPTER 13.20 (AS AMENDED)**

**Log onto City of Newberg Municipal Code website at:  
<http://codepublishing.com/OR/Newberg/>**