
City Council Regular Meeting

DEPARTMENT: City Manager
FROM: Eric Oscarson, Deputy City Manager
MEETING: December 11, 2023

SUBJECT:

Consider approval of an ordinance amending the Roadway Impact Fee Ordinance (CSO#1479-08-2020); finding that the meeting at which this ordinance is passed was open to the public and that the recitals are true; containing a severability clause, cumulative clause, and effective date. (*Final Reading*) (*Staff Presenter: Eric Oscarson, Deputy City Manager*)

SUMMARY:

According to Chapter 395 of the Texas Local Government Code, "Impact fee" means a charge or assessment imposed by a political subdivision against new development to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development. Impact fees are a one-time charge assessed to new development to generate revenue to fund roadway capital facilities necessitated by new development. The collection of impact fees allows the cost of capital improvements to be offset by providing an alternative funding mechanism.

The projected 10-year growth based on land use assumptions included in the City's comprehensive planning document is utilized to establish future infrastructure demands and population projections. This data is further analyzed to determine the number of service units in order to calculate the impact fee required by the new development.

The City of Burleson first adopted impact fees for roadway infrastructure in 2017. City Council appointed eight members to the Capital Improvements Program Advisory Committee in March 2023 and, most recently, a ninth member in September 2023. The committee met a total of five times over a three-month period to review the land use assumptions, capital improvement plan, and roadway impact fee study completed by the City's consultant. After reviewing all of the information presented, the committee recommended increasing the impact fee collection to the maximum allowable by state law. These recommendations were presented to the City Council on October 2, 2023.

As part of the ordinance update, the following minor text amendments are proposed:

- A provision was added to assess a shell or speculative building in General Retail (GR) or Commercial (C) zoning districts as a "Strip Retail Plaza." At the time of the finish out for

the shell, the difference in impact fees from the proposed use to the strip retail plaza use would be collected at the time of the building permit if the proposed use was more intense.

- Newly annexed areas shall be immediately added to the nearest adjacent Roadway Service Area as long as it complies with the distance requirements in Chapter 395 of the Texas Local Govt Code. For roadway facilities, the service area is limited to an area within the corporate boundaries of the political subdivision and shall not exceed six miles.

On November 13, 2023, staff presented an amendment to the Roadway Impact Fee Ordinance on first reading, updating the impact fees based on the Capital Improvements Plan Advisory Committee's recommendation.

RECOMMENDATION:

Approve an ordinance amending the Roadway Impact Fee Ordinance (CSO#1479-08-2020).

PRIOR ACTION/INPUT (Council, Boards, Citizens):

The Capital Improvements Program Advisory Committee (CIPAC) developed the recommended changes to roadway impact fees at their June 22, 2023 meeting.

Development community representatives received an overview of the CIPAC recommendations at a Developers Roundtable meeting held on August 17, 2023.

The City Council received an overview of the CIPAC recommendations at the October 2, 2023 City Council meeting.

A public hearing was held on November 13, 2023, regarding the water, wastewater, and roadway impact fees recommendations. Council approved on first reading.

REFERENCE:

CSO#1479-08-2020 – Adopted ordinance

FISCAL IMPACT:

NA

STAFF CONTACT:

Eric Oscarson
Deputy City Manager
eoscarson@burlesontx.com
817-426-9837