

CITY OF SANGER, TEXAS

ORDINANCE 08-23-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, AMENDING CHAPTER 10 SUBDIVISION, ARTICLE 10.208 ROADWAY IMPACT FEES; ESTABLISHING PROCEDURE FOR COMPUTATION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR CONSTRUCTION, SEVERABILITY, AND CONFLICT CLAUSES; PROVIDING FOR A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Sanger (the “City”) is a home rule municipality regulated by state law and Charter; and

WHEREAS, Chapter 395, Tex. Loc. Gov’t Code (the “Statute”) provides the requirements and procedures for the adoption of Land Use Assumptions, Roadway Impact Fee Capital Improvements Plan, and Roadway Impact Fees; and

WHEREAS, the City Council finds it necessary for the public health, safety and welfare that development occur in a controlled and orderly manner; and

WHEREAS, the City Council approved Ordinance 10-18-24 adopting Roadway Impact Fees per service unit on December 2, 2024; and

WHEREAS, the Capital Improvement Advisory Committee on August 10, 2026, duly covered and provided written comments on the Roadway Impact Fees, recommending approval to move proposed fee amendment to City Council; and

WHEREAS, as required by Section 395.054, Tex Loc. Gov’t Code, the City Council conducted a public hearing on August 3, 2026 on the adoption of Roadway Impact fee amendment in which any member of the public had the right to appear at the hearing and present evidence for or against the plan and proposed fee; and

WHEREAS, the City Council finds that the passage of this Ordinance is in the best interest of the citizens of Sanger.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS:

SECTION 1. That Chapter 10 Subdivision, Article 10.200 Roadway Impact Fees and the Sections below are amended as follows:

10.208. Roadway Impact Fees Adopted.

The city hereby adopts the maximum assessable roadway impact fee attached to Ordinance 08-23-26 and incorporated as exhibit A, and the roadway impact fee collection rate attached to Ordinance 08-23-26 and incorporated as exhibit B. Each nonexempt new development shall be assessed the maximum assessable roadway impact fee and shall pay the roadway impact fee collection rate, minus any applicable credits, as described herein. Except as herein otherwise provided, the assessment and collection of a roadway impact fee shall be additional and supplemental to, and not in substitution of, any other tax, fee, charge or assessment which is lawfully imposed on and due against the property.

10.210. Assessment of Impact Fees.

Assessment of the impact fee for any new development shall be made as follows:

For a new development which has received final plat approval on or after the effective date of this article, assessment of impact fees shall occur on the effective date of this article, and shall be the amount of the maximum assessable roadway impact fee per service unit as set forth in exhibit A to Ordinance 08-23-26. However, the fee that was in effect by Ordinance 08-15-16 shall be the maximum assessable roadway impact fee per service unit for developments that received final plat approval before the effective date of Ordinance 10-18-24 and for which a valid building permit is issued within one year after the date of adoption of this article. Permits for developments platted after January 1, 2025 and issued after the effective date of this ordinance shall be the amount of the maximum assessable roadway impact fee per service unit as set forth in exhibit A to Ordinance 08-23-26.

For land which is not required to be platted at the time of application for a building permit pursuant to the city's subdivision regulations prior to development, assessment of roadway impact fees shall occur at the time application is made for the building permit, and shall be the amount of the maximum assessable roadway impact fee per service unit as set forth in exhibit A to Ordinance 08-23-26 then in effect.

For new development which is submitted for approval pursuant to the city's subdivision regulations or which is proposed for replatting on or after the effective date of this article, assessment of impact fees shall be at the time of final plat or replat approval, and shall be the amount of the maximum assessable roadway impact fee per service unit as set forth in exhibit A to Ordinance 08-23-26 then in effect.

Following assessment of the impact fee pursuant to this section, the amount of the impact fee assessment per service unit for that development cannot be increased, unless the owner proposes to change the approved development by the submission of a new application for final plat approval or other development application that results in approval of additional service units, in

which case a new assessment shall occur at the exhibit A to Ordinance 08-23-26 rate then in effect for such additional service units.

The city manager or his or her designee shall compute the roadway impact fees for new development by first determining whether the new development is eligible for credits calculated in accordance with this article, which would further reduce impact fees otherwise due in whole or in part. The total amount of impact fees for the new development shall be attached to the development application as a condition of approval.

Approval of an amending plat pursuant to Tex. Loc. Gov't Code, section 212.016 and the city's subdivision regulations is not subject to reassessment for an impact fee.

The city may amend any other provisions of this article in accordance with procedures for ordinance amendments contained in the city's charter or state law.

SECTION 2. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein and are hereby found to be true and correct factual and legislative determinations of the City of Sanger, Texas.

SECTION 3. Purpose. This Ordinance is intended to assure the provision of adequate roadway facilities to serve new development in the City by requiring each development to pay a share of the costs of such capital improvements or roadway facility expansions necessitated by the attributable to such new development.

SECTION 4. Authority. This Ordinance is adopted pursuant to Texas Local Government Code (TLGC) Chapter 395 and the Sanger City Charter. Chapter 395 supplements this Ordinance to the extent that its provisions may be applicable hereto and, to such extent, its provisions are incorporated herein by reference. The provisions of this Ordinance shall not be construed to limit the power of the City to utilize other methods authorized under State law or pursuant to other City powers to accomplish the purposes set forth herein, either in substitution or in conjunction with this Ordinance. Guidelines may be developed by ordinance, resolution, or otherwise to implement and administer this Ordinance.

SECTION 5. Applicability. The provisions of this Ordinance apply to all new, non-exempt development with the corporate boundaries of the City.

SECTION 6. Incorporation of Land Use Assumptions and Roadway Impact Fee Capital Improvement Plan. The Roadway Impact Fee Capital Improvements Plan and Land use Assumptions, as considered and adopted by the City Council with the Roadway Impact Fee Study as Exhibit A hereto is incorporated herein by reference for all purposes, including any future amendments thereto.

SECTION 5. This ordinance will take effect August 18, 2026, as the law and Charter in such case provides.

PASSED AND APPROVED by the City Council of the City of Sanger, Texas, on this 17th day of August, 2026.

APPROVED:

ATTEST:

Gary Bilyeu

Kelly Edwards, City Secretary