

ORDINANCE 2023-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 31 "IMPACT FEES" OF THE CODE OF ORDINANCES, INCORPORATING UPDATED LAND USE ASSUMPTIONS AND UPDATED WATER, WASTEWATER, AND ROADWAY CAPITAL IMPROVEMENTS PLANS AS EXHIBITS; AMENDING THE FEES FOR WATER, WASTEWATER, AND ROAD IMPACT FEES AS SET FORTH IN APPENDIX I; AMENDING AFFECTED SECTIONS REFERENCING THE UPDATED APPENDICES AND EXHIBITS; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on January 15, 2002, the City Council adopted Ordinance 02-02 establishing a new Chapter 31 in the Lockhart Code of Ordinances providing for the establishment of water, wastewater, and road impact fees; and,

WHEREAS, Section 395.052 of the Texas Local Government Code requires that a political subdivision imposing impact fees shall update the land use assumptions and capital improvements plans at least every five years unless the city council determines that an update is not necessary; and,

WHEREAS, on March 20, 2007, the City Council adopted Ordinance 07-11 amending Chapter 31 by incorporating updated land use assumptions and updated water, wastewater, and roadway capital improvements plans as exhibits; amending the fees for water, wastewater, and roadway impact fees as set forth in Appendix I; and amending other sections referencing the updated appendices and exhibits; and,

WHEREAS, on April 4, 2017, City Council adopted Ordinance 2017-08 amending Chapter 31 by incorporating updated land use assumptions and updated water, wastewater, and roadway capital improvements plans as exhibits; amending the fees for water, wastewater, and roadway impact fees as set forth in Appendix I; and amending other sections referencing the updated appendices and exhibits; and,

WHEREAS, on May 17, 2022, upon the recommendation of the Impact Fee Advisory Committee, the City Council determined that a five-year update was necessary due to recent increases in population, and major changes in project priorities and construction costs, since the previous update; and,

WHEREAS, the consulting firm of Freese and Nichols, Inc. was retained to assist in the update of the land use assumptions and roadway impact fee capital improvements plan and fees, and the consulting firm of TRC Engineers, Inc. was retained to assist in the update of the water and wastewater capital improvements plans and fees; and,

WHEREAS, the Impact Fee Advisory Committee has reviewed and recommended the results of the update studies, as reflected in their letter to the Council dated April 12, 2023;

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

I. Chapter 31 "Impact Fees", is hereby amended as follows, wherein all existing articles, sections, subsections, paragraphs and other provisions, or portions thereof, not listed shall remain unchanged:

ARTICLE II. WATER FACILITIES IMPACT FEES

Section 31-23. Water service area.

(a) There is hereby established a water service area, constituting land within the city limits and within the city's extraterritorial jurisdiction, as depicted on Figure 2 in Exhibit 1 attached to the ordinance from which this chapter derives and incorporated by reference herein.

Section 31-24. Water improvements plan.

(a) The water improvements plan for the city is hereby adopted as Exhibit 2 attached to the ordinance from which this chapter derives and incorporated by reference herein.

ARTICLE III. WASTEWATER FACILITIES IMPACT FEES

Section 31-26. Wastewater service area.

(a) There is hereby established a wastewater service area, constituting land within the city limits and within the city's extraterritorial jurisdiction, as depicted on Figure 2 in Exhibit 1 attached to the ordinance from which this chapter derives and incorporated by reference herein.

Section 31-27. Wastewater improvements plan.

(a) The wastewater improvements plan for the city is hereby adopted as Exhibit 2 attached to the ordinance from which this chapter derives and incorporated by reference herein.

ARTICLE IV. ROADWAY IMPACT FEES

Section 31-29. Roadway service area.

(a) There is hereby established a roadway service area, constituting land within the city limits, as depicted on Figure 1 in Exhibit 1 attached to the ordinance from which this chapter derives and incorporated by reference herein.

Section 31-30. Roadway improvements plan.

(a) The roadway improvements plan for the city is hereby adopted as Exhibit 3 attached to the ordinance from which this chapter derives and incorporated by reference herein.

APPENDIX I

SCHEDULE 1

IMPACT FEES TO BE ASSESSED

Water impact fees:	\$4,562.36 per living unit equivalent
Wastewater impact fees:	\$5,792.42 per living unit equivalent
Roadway impact fees – Service area 1:	\$1,501.00 per vehicle mile
Roadway impact fees – Service area 2:	\$1,806.00 per vehicle mile

**SCHEDULE 2
IMPACT FEES TO BE CHARGED**

Water impact fees:	\$4,562.36 per living unit equivalent
Wastewater impact fees:	\$5,792.42 per living unit equivalent
Roadway impact fees – Service area 1:	\$1,501.00 per vehicle mile
Roadway impact fees – Service area 2:	\$1,806.00 per vehicle mile

**TABLE 1
LIVING UNIT EQUIVALENCIES (LUE's) FOR VARIOUS TYPES AND SIZES OF
WATER METERS**

METER TYPE	METER SIZE	CONTINUOUS DUTY MAXIMUM RATE (gpm)	RATIO TO 3/4" METER
Simple	3/4"	15	1.000
Simple	1"	25	1.667
Simple	1-1/2"	50	3.333
Simple	2"	80	5.333
Compound	2"	80	5.333
Turbine	2"	100	6.667
Compound	3"	160	10.667
Turbine	3"	240	16.000
Compound	4"	250	16.667
Turbine	4"	420	28.000
Compound	6"	500	33.333
Turbine	6"	920	61.333
Compound	8"	800	53.333
Turbine	8"	1600	106.667
Compound	10"	1150	76.667
Turbine	10"	2500	166.667
Turbine	12"	3300	220.000

TABLE 2
LAND USE VEHICLE-MILE EQUIVALENCY TABLE

* This category also represents service unit equivalency for land uses not specified in this category. Actual equivalency may vary and may be demonstrated by the property owner to be different pursuant to City guidelines.

DU = Dwelling Unit
GFA = Gross Floor Area

ITE Land Use	ITE Code	Dev. Unit	Avg. Trip Rate w/ Deductions	Avg. Trip Length	Veh-Mi Per Dev Unit
INDUSTRIAL					
* General Light Industrial	110	1,000 sq. ft.	0.65	1.19	0.77
Industrial Park	130	1,000 sq. ft.	0.34	1.19	0.40
Manufacturing	140	1,000 sq. ft.	0.74	1.19	0.88
Warehousing	150	1,000 sq. ft.	0.18	1.20	0.22
Mini-Warehouse	151	1,000 sq. ft.	0.15	1.00	0.15
High-Cube Fulfillment Center Warehouse	155	1,000 sq. ft.	0.16	1.20	0.19
Data Center	160	1,000 sq. ft.	0.09	1.20	0.11
RESIDENTIAL					
* Single-Family Detached Housing	210	DU	0.94	1.16	1.09
Multifamily Housing (Low-Rise)	220	DU	0.51	1.16	0.59
Multifamily Housing (Mid-Rise)	221	DU	0.39	1.16	0.45
Mid-Rise Residential with 1st-Floor Commercial	231	DU	0.17	1.16	0.20
Senior Adult Housing - Detached	251	DU	0.30	1.00	0.30
Continuing Care Retirement Community	255	DU	0.19	1.00	0.19
COMMERCIAL					
Hotel	310	Rooms	0.59	1.00	0.59
Golf Course	430	Holes	2.91	1.00	2.91
Miniature Golf Course	431	Holes	0.33	1.00	0.33
Golf Driving Range	432	Driving Positions	1.25	1.00	1.25
Batting Cages	433	Cages	2.22	1.00	2.22
Multipurpose Recreational Facility	435	1,000 sq. ft.	3.58	1.00	3.58
Movie Theater	444	Screens	0	1.00	0.00
Health/Fitness Club	492	1,000 sq. ft.	3.45	1.00	3.45
INSTITUTIONAL					
Elementary School	520	Students	0.16	0.80	0.13
Middle School/Junior High School	522	Students	0.15	1.00	0.15
High School	525	Students	0.14	1.00	0.14
Private School (K-8)	530	Students	0.26	1.00	0.26
Junior/Community College	540	Students	0.11	1.00	0.11
Place of Worship	560	1,000 sq. ft.	0.49	1.00	0.49
Day Care Center	565	Students	0.20	0.80	0.16
Hospital	610	1,000 sq. ft.	1.69	1.00	1.69
Clinic	630	1,000 sq. ft.	3.69	1.00	3.69
Animal Hospital/Veterinary Clinic	640	1,000 sq. ft.	3.53	1.00	3.53
Free-Standing Emergency Room	650	1,000 sq. ft.	1.52	1.00	1.52

ITE Land Use	ITE Code	Dev. Unit	Avg. Trip Rate w/ Deductions	Avg. Trip Length	Veh-MI Per Dev Unit
OFFICE					
General Office Building	710	1,000 sq. ft.	1.44	1.16	1.67
Small Office Building (<5,000 Sq Ft GFA)	712	1,000 sq. ft.	2.16	1.00	2.16
Medical-Dental Office Building	720	1,000 sq. ft.	3.93	1.00	3.93
Research and Development Center	760	1,000 sq. ft.	0.98	1.16	1.14
RETAIL					
* Shopping Center	820	1,000 sq. ft.	1.48	1.00	1.48
Hardware/Paint Store	816	1,000 sq. ft.	1.37	1.00	1.37
Shopping Center	820	1,000 sq. ft.	1.48	1.00	1.48
Supermarket	850	1,000 sq. ft.	2.34	1.00	2.34
Convenience Market	851	1,000 sq. ft.	5.40	0.80	4.32
Discount Club	857	1,000 sq. ft.	1.68	1.00	1.68
Home Improvement Superstore	862	1,000 sq. ft.	0.64	1.00	0.64
Office Supply Superstore	867	1,000 sq. ft.	1.94	1.00	1.94
Pharmacy/Drugstore w/ Drive-Through Window	881	1,000 sq. ft.	3.90	1.00	3.90
Furniture Store	890	1,000 sq. ft.	0.08	1.00	0.08
Drive-in Bank	912	Drive-in Lanes	5.67	1.00	5.67
Hair Salon	918	1,000 sq. ft.	1.09	1.00	1.09
Drinking Place	925	1,000 sq. ft.	0.00	1.00	0.00
Food Cart Pod	926	Food Carts	4.62	1.00	4.62
Fast Casual Restaurant	930	1,000 sq. ft.	3.89	1.00	3.89
Quality Restaurant	931	1,000 sq. ft.	2.26	1.00	2.26
High-Turnover (Sit-Down) Restaurant	932	1,000 sq. ft.	2.81	1.00	2.81
Fast-Food Restaurant w/ Drive-Through Window	934	1,000 sq. ft.	8.92	1.00	8.92
Coffee/Donut Shop w/ Drive-Through Window and No Indoor Seating	938	1,000 sq. ft.	4.07	1.00	4.07
Quick Lubrication Vehicle Shop	941	Service Positions	3.64	1.00	3.64
Automobile Parts Service Center	943	1,000 sq. ft.	2.06	1.00	2.06
Gasoline/Service Station w/ Convenience Market	945	1,000 sq. ft.	11.49	0.00	0.00
Car Wash and Detail Center	949	Wash Stalls	3.67	1.00	3.67
* Others Not Specified		1,000 sq. ft.	0.47	1.00	0.47

II. **Severability:** If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision, or regulation.

III. **Repealer:** That all other ordinances, section, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

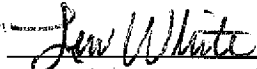
IV. **Publication:** That the City Secretary is directed to cause this ordinance caption to be published in a newspaper of general circulation according to law.

V. **Effective Date:** That this ordinance shall become effective and in full force immediately upon its passage.

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS,
ON THIS THE 2nd DAY OF MAY, 2023.**

CITY OF LOCKHART

ATTEST:


Lew White, Mayor


Julie Bowermon, Assistant City Secretary

