

ORDINANCE NO. 21-12-02-02

AN ORDINANCE OF THE CITY COUNCIL OF LAGO VISTA, TEXAS, TO ADOPT UPDATED LAND USE ASSUMPTIONS, AN UPDATED CAPITAL IMPROVEMENTS PLAN, AN UPDATED IMPACT FEE STUDY, AND THE IMPOSITION OF IMPACT FEES FOR ROADWAY FACILITIES IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE CHAPTER 395; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Lago Vista, Texas is responsible for and committed to the provision of public facilities to ensure the provision of adequate facilities in the future; and

WHEREAS, new development causes and imposes increased demands for City public water and wastewater utility infrastructure; and

WHEREAS, Texas Local Government Code, Chapter 395, authorizes cities to adopt and amend impact fees for the purpose of financing capital improvements for public infrastructure required by new development; and

WHEREAS, to the extent new development places demands upon public infrastructure, those demands should be satisfied by sharing the responsibility for financing these facilities from the public at large to the developments creating the demands; and

WHEREAS, the City Council of the City of the City of Lago Vista, Texas, after careful consideration of the matter, hereby finds and declares that impact fees for roadway facilities imposed upon development to finance specific public infrastructure projects that are needed to meet the demands of the development are in the best interests of the general welfare of the City and its residents, are proportionate, and do not impose an unfair burden on such development; and

WHEREAS, the amount of the roadway facilities impact fees imposed on new development shall be determined by the cost of the additional public infrastructure needed to support such new development as identified in Capital Improvements Plan; and

WHEREAS, the Impact Fee Advisory Committee has filed written comments regarding the proposed water and wastewater utility infrastructure impact fees with the City Council; and

WHEREAS, on September 16, 2021, the City Council held a public hearing at the Council Chambers, 5803 Thunderbird Street, Lago Vista, Texas and thereafter approved Resolution No. 21-1899 which adopted the Land Use Assumptions and Capital Improvements Plan for the possible implementation of roadway facility impact fees; and

WHEREAS, on December 2, 2021, the City Council held a public hearing at the Council Chambers, 5803 Thunderbird Street, Lago Vista, Texas to consider an updated Impact Fee Study which now included the components upon which roadway facility impact fees might be imposed; and

WHEREAS, the updated Land Use Assumptions, updated Capital Improvements Plan and updated Impact Fee Study for roadway facility infrastructure were developed by

qualified professionals using generally accepted engineering and planning practices in accordance with Chapter 395 of the Texas Local Government Code; and

WHEREAS, the City Council of the City of Lago Vista, Texas finds that they have complied with Chapter 395 regarding the notice, adoption, promulgation, and methodology necessary to adopt impact fees.

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

SECTION 1. FINDINGS OF FACT. All the above clauses and the premises stated in them are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION 2. In accordance with Chapter 395 of the Texas Local Government Code, the City Council has employed qualified professionals to prepare updated Land Use Assumptions and an updated Capital Improvements Plan for the imposition of roadway facility impact fees. The updated Land Use Assumptions and updated Capital Improvements Plan were approved after a public hearing in accordance with Chapter 395 of the Texas Local Government Code.

SECTION 3. The document titled “Lago Vista Impact Fee Study”, dated November 1, 2021, is hereby adopted, and incorporated into this Ordinance by reference.

SECTION 4. The provisions in this Ordinance apply to all new development within the corporate boundaries of the City of Lago Vista, Texas for road facility impact fees.

SECTION 5. AMENDMENT. The City Council of the City of Lago Vista, Texas, does hereby amend Article 3.000 of Appendix A of the Lago Vista Code of Ordinances as shown in **Exhibit “A.”**

SECTION 6. REPEALER. All ordinances, orders or resolutions heretofore passed and adopted by the City Council of the City of Lago Vista, Texas, are hereby repealed to the extent said ordinances, orders or resolutions or parts thereof are in conflict herewith.

SECTION 7. SEVERABILITY CLAUSE. If any section, subsection, article, paragraph, sentence, clause, phrase or word in this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.


SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication in accordance with the provisions of the *Tex. Loc. Gov’t. Code*.

SECTION 9. OPEN MEETINGS. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

AND, IT IS SO ORDERED.

PASSED AND APPROVED this 2nd day of December, 2021.




Ed Tidwell, Mayor

ATTEST:


Sandra Barton, City Secretary

On a motion by Councilor Hunt, seconded by Mayor Pro Tem Sullivan, the above and foregoing ordinance was passed and approved.

EXHIBIT "A"

APPENDIX A FEE SCHEDULE
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ARTICLE 3.000 BUILDING RELATED FEES

Section 3.500 Impact Fees

- (a) Wastewater: \$2,360.00 per Service Unit
- (b) Water: \$3,486.00 per Service Unit
- (c) Water and Wastewater Service Unit Equivalences

Meter Size	Service Unit Equivalent
3/4" x 5/8"	1.0
3/4" x 3/4"	1.0
1"	2.5
2"	8.0
3"*	16.0
4"	25.0
6"	50.0
8"	160

*Uncommon size; requires prior approval

- (d) Roadway
 - (1) Service Area 1: \$2,493.00 per Service unit.
 - (2) Service Area 2: \$537 per Service unit

(e) Roadway Service Unit Equivalences

Land Use Category	Development Unit	Service Unit Equivalent
RESIDENTIAL		
Single-Family Detached Housing	Dwelling Units	3.19
Multifamily Housing	Dwelling Units	1.8
Mid-Rise Residential with 1st Floor Commercial	Dwelling Units	1.16
Senior Adult Housing – Detached	Dwelling Units	0.96
Assisted Living	Beds	0.83
Continuing Care Retirement Community	Dwelling Units	0.51
OFFICE	1,000 Sq Ft GFA	
General Office Building	1,000 Sq Ft GFA	2.92
Medical-Dental Office Building	1,000 Sq Ft GFA	8.79
United States Post Office	1,000 Sq Ft GFA	8.53
COMMERCIAL / RETAIL	1,000 Sq Ft GFA	
Hotel	Rooms	1.22
All Suites Hotel	Rooms	0.73
Movie Theater	Screens	31.83
Health/Fitness Club	1,000 Sq Ft GFA	7.52
Hospital	1,000 Sq Ft GFA	2.7
Nursing Home	1,000 Sq Ft GFA	1.64
Free-Standing Emergency Room	1,000 Sq Ft GFA	4.23
Shopping Center	1,000 Sq Ft GFA	3.09
Building Materials and Lumber Store	1,000 Sq Ft GFA	3.15
Free-Standing Discount Store	1,000 Sq Ft GFA	4.71
Hardware/Paint Store	1,000 Sq Ft GFA	2.5
Nursery (Garden Center)	1,000 Sq Ft GFA	10.58
Supermarket	1,000 Sq Ft GFA	4.87
Discount Club	1,000 Sq Ft GFA	5.95
Office Supply Superstore	1,000 Sq Ft GFA	3.94
Bed and Linen Superstore	1,000 Sq Ft GFA	3.15
Apparel Store	1,000 Sq Ft GFA	5.85
Pharmacy/Drugstore w/ Drive-Through Window	1,000 Sq Ft GFA	9.31
Furniture Store	1,000 Sq Ft GFA	0.12

COMMERCIAL / RETAIL (continued)		
Walk-in Bank	1,000 Sq Ft GFA	4.17
Drive-in Bank	Drive-in Lanes	9.31
Quality Restaurant	1,000 Sq Ft GFA	4.59
High-Turnover (Sit-Down) Restaurant	1,000 Sq Ft GFA	6.15
Fast-Food Restaurant w/ Drive-Through Window	1,000 Sq Ft GFA	11.2
Coffee/Donut Shop w/ Drive-Through Window	1,000 Sq Ft GFA	5.27
Quick Lubrication Vehicle Shop	Service Positions	4.93
Automobile Parts Service Center	1,000 Sq Ft GFA	1.56
Gasoline/Service Station w/ Convenience Market	Fueling Positions	1.08
Car Wash and Detail Center	Wash Stalls	1.14
INDUSTRIAL		
General Light Industrial	1,000 Sq Ft GFA	3.04
Industrial Park	1,000 Sq Ft GFA	1.93
Warehousing	1,000 Sq Ft GFA	0.92
Mini-Warehouse	1,000 Sq Ft GFA	0.82
INSTITUTIONAL		
Private School (K-8)	Students	0.33
Private School (K-12)	Students	0.22
Charter Elementary School	Students	0.18
Church	1,000 Sq Ft GFA	1.16
Day Care Center	Students	0.25
