

**ORDINANCE NO. 23084-01-2018**

**AN ORDINANCE AMENDING CHAPTER 30 (STREETS AND SIDEWALKS), ARTICLE VIII (TRANSPORTATION IMPACT FEES) OF THE CODE OF THE CITY OF FORT WORTH, TEXAS (2015), AS AMENDED, BY ADOPTING UPDATED LAND USE ASSUMPTIONS; ADOPTING AN UPDATED CAPITAL IMPROVEMENTS PLAN FOR TRANSPORTATION FACILITIES; ADOPTING REVISED TRANSPORTATION IMPACT FEE PER SERVICE UNIT (A/K/A VEHICLE MILE) SCHEDULE 1; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 395, Tex. Loc. Gov't Code, provides requirements and procedures for updating land use assumptions, capital improvements plans and impact fees; and

**WHEREAS**, on May 13, 2008, the City of Fort Worth adopted Ordinance No. 18083-05-2008 creating impact fees for transportation facilities in accordance with the statutory procedures for adopting such fees, known as the Fort Worth Transportation Impact Fee Regulations, which were effective July 1, 2008; and

**WHEREAS**, the City of Fort Worth updated its transportation impact fee land use assumptions, capital improvements plan and proposed transportation impact fees by Ordinance Number 20605-02-2013 on February 5, 2013, effective April 1, 2013; and

**WHEREAS**, the City of Fort Worth has retained consultants, Kimley-Horn and Associates, Inc., to prepare land use assumptions, impact fee capital improvements plans, impact fees and ordinance provisions in order to meet statutory requirements; and

**WHEREAS**, the City of Fort Worth's Capital Improvements Advisory Committee for Transportation Impact Fees submitted its written comments on the proposed amendments to the Land Use Assumptions, Capital Improvements Plan, and Transportation Impact Fees on November 17, 2017; and

**WHEREAS**, on November 30, 2017, the City made available to the public, copies of the updated Land Use Assumptions, Capital Improvements Plan, and Maximum Assessable Transportation Impact Fees; and

**WHEREAS**, as required by Section 395.054 of the Texas Local Government Code, the City Council conducted a public hearing regarding the updates to the Land Use Assumptions, Capital Improvements Plans and Transportation Impact Fees on January 9, 2018, notice of which was published on December 6, 2017; and

**WHEREAS**, the City Council desires to adopt the updated Land Use Assumptions, Capital Improvements Plan, and Transportation Impact Fees for roadway facilities; and

Improvements Plan, and Transportation Impact Fees for roadway facilities; and

**WHEREAS**, the City Council desires to adopt updated collection rates for the various transportation impact fee services areas (Schedule 2) at a later date;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH:**

**SECTION 1**  
**2017 TRANSPORTATION IMPACT FEE STUDY**  
**UPDATED LAND USE ASSUMPTIONS, TRANSPORTATION IMPROVEMENTS**  
**PLAN, AND MAXIMUM ASSESSABLE TRANSPORTATION IMPACT FEES**

The 2017 Transportation Impact Fee Study, which contains updated land use assumptions for transportation facilities, an updated Transportation Improvements Plan, and updated Maximum Assessable Transportation Impact Fees Per Service Unit, as contained in Table 8 of the 2017 Study (a/k/a Schedule 1), (collectively the “2017 Study”), is hereby adopted to update all previously adopted land use assumptions, Transportation Improvements Plans, and Maximum Assessable Transportation Impact Fees Per Service Unit (a/k/a vehicle mile) of the City of Fort Worth. The 2017 Study is incorporated herein by reference as if fully set forth, to be maintained in the Office of City Secretary. Schedule 1, attached hereto as “Attachment A”, shall replace the previous Schedule 1 as referred to in Section 30-171 of the Code of the City of Fort Worth, Texas.

**SECTION 2**  
**SEVERABILITY**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and if the validity of any section, subsection, sentence, clause or phrase of this ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause or phrase of this ordinance.

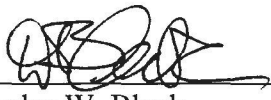
**SECTION 3**  
**CONFLICTS**

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances for the City of Fort Worth, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and Code are hereby repealed.

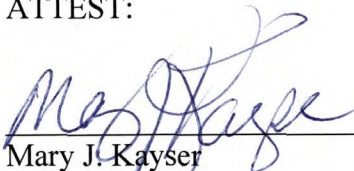
**SECTION 4**  
**EFFECTIVE DATE**

This ordinance shall take effect on April 1, 2018.

APPROVED AS TO FORM AND LEGALITY:

By:   
Douglas W. Black  
Sr. Assistant City Attorney

ATTEST:

  
Mary J. Kayser  
City Secretary

Adopted: January 23, 2018

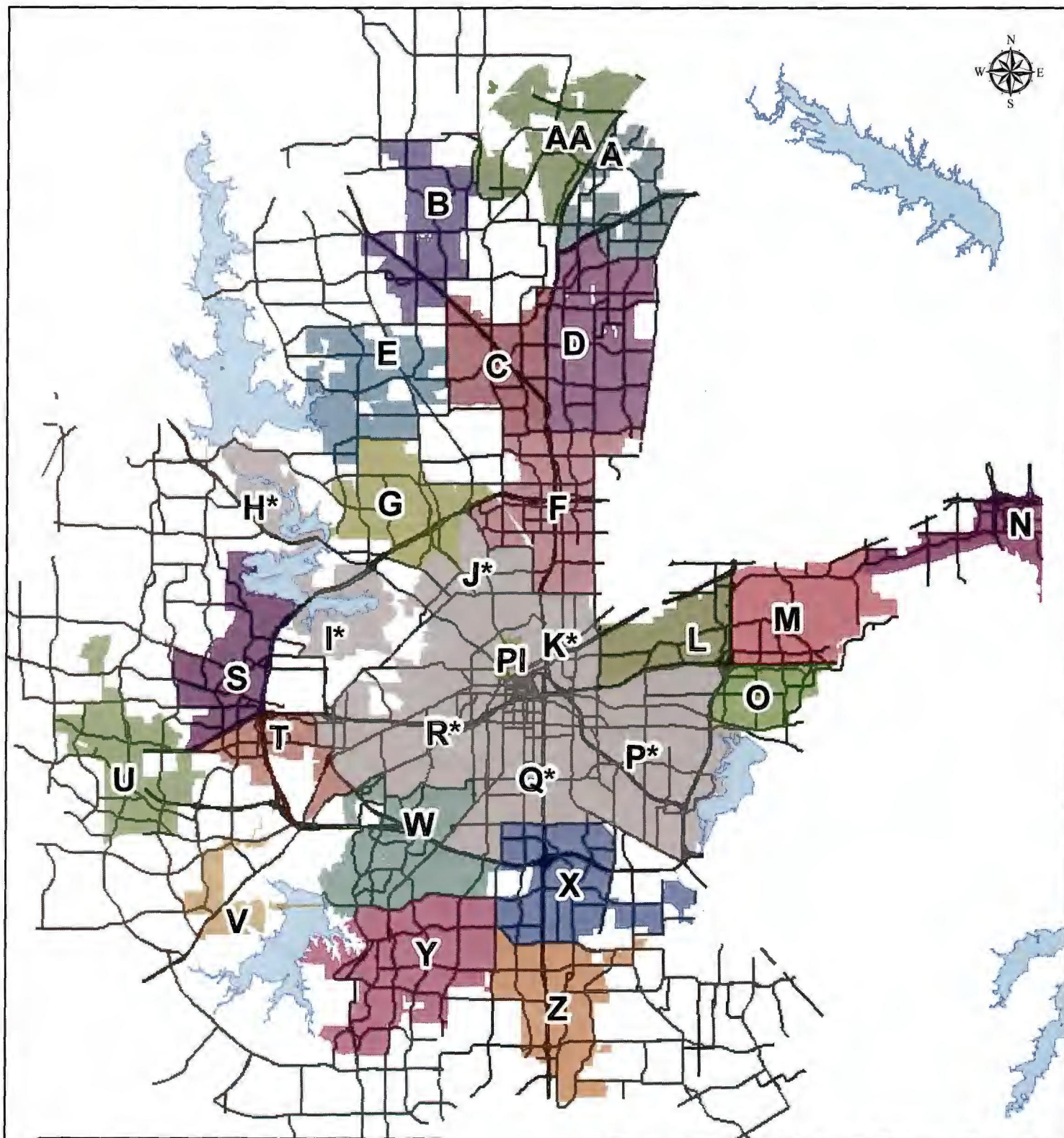
Effective: April 1, 2018

## Attachment A

Service Areas	Schedule 1 Maximum Assessable Transportation Impact Fees Per Vehicle-Mile			
	Assessment Date [as per City Code §30-172(a)]	Before 4/1/2013	On 4/1/2013 to Before 4/1/2018	On or After 4/1/2018
Service Area A		\$989	\$2,158	\$2,025
Service Area AA		\$63	\$228	\$205
Service Area B		\$2,014	\$2,419	\$3,316
Service Area C		\$640	\$1,323	\$1,144
Service Area D		\$987	\$966	\$463
Service Area E		\$969	\$2,708	\$3,449
Service Area F		\$387	\$998	\$675
Service Area G		\$755	\$2,091	\$1,799
Service Area L		\$619	\$1,562	\$441
Service Area M		\$1,450	\$2,551	\$3,164
Service Area N		\$742	\$1,283	\$845
Service Area O		\$1,632	\$1,014	\$3,560
Service Area PI*		\$492	\$492	\$492
Service Area S		\$1,028	\$2,398	\$2,984
Service Area T		\$726	\$2,322	\$1,826
Service Area U		\$567	\$2,921	\$3,457
Service Area V*		\$3,269	\$3,269	\$3,269
Service Area W		\$121	\$860	\$1,356
Service Area X		\$999	\$2,312	\$3,806
Service Area Y		\$1,213	\$2,370	\$2,348
Service Area Z		\$1,618	\$2,962	\$3,706

\*Assessments occur on April 1, 2018

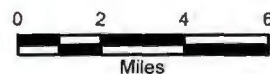




**Legend**

A	G	T	* Non-Fee Service Area
AA	L	U	
B	M	V	
C	N	W	
D	O	X	
E	PI	Y	
F	S	Z	

**Exhibit 1.  
2017 Transportation Impact Fee Study  
Service Areas**



November 2017

**Kimley»Horn**



# *City of Fort Worth, Texas*

## **Mayor and Council Communication**

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**COUNCIL ACTION: Approved As Amended on 1/23/2018 - Ordinance No. 23084-01-2018**

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**DATE:** Tuesday, January 23, 2018

**REFERENCE NO.:** G-19207

**LOG NAME:** 061000 AMEND TRANSPORTATION IMPACT FEES 2018

**SUBJECT:**

Adopt Ordinance Amending Chapter 30, Article VIII, Transportation Impact Fees, of the Fort Worth City Code, Revising the Land Use Assumptions, Capital Improvements Plan and Impact Fee Schedules for Transportation Facilities (ALL COUNCIL DISTRICTS)

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**RECOMMENDATION:**

It is recommended that the City Council adopt the attached ordinance amending Chapter 30, Streets and Sidewalks, Article VIII, Transportation Impact Fees, of the Fort Worth City Code, revising the land use assumptions, capital improvements plan, and maximum assessable rate fee schedule ~~and collection rate fee schedule~~ for transportation facilities.

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**DISCUSSION:**

Texas Local Government Code (TLGC) Chapter 395 governs the imposition of impact fees and requires that the City update its land use assumptions, capital improvements plan and maximum assessable impact fees at least every five years. The City Council established transportation impact fees on April 29, 2008 by Ordinance No. 18083-05-2008 (M&C G-16122). The 2008 land use assumptions, capital improvements plan, maximum assessable fees and collection rates were amended on February 5, 2013 by ordinance 20605-02-2013 (M&C G-17799). This is the second update to the City's transportation impact fees.

The City contracted with Kimley-Horn and Associates, Inc. to prepare the 2017 Transportation Impact Fee Study (2017 Study), to update the land use assumptions, capital improvements plan and determination of the maximum assessable fees (City Secretary Contract No. 48543, M&C P-11980). The 2017 Study has been available for public inspection since November 30, 2017 in the City Secretary's Office and is also available on the City's Transportation Impact Fee website ([www.fortworthtexas.gov/impactfees/transportation](http://www.fortworthtexas.gov/impactfees/transportation)). The Capital Improvements Advisory Committee for Transportation Impact Fees (CIAC) reviewed the 2017 Study and endorsed it on November 17, 2017.

On December 5, 2017, the City Council approved Resolution No. 4871-12-2017 calling for a public hearing to consider the updated land use assumptions, capital improvements plan and maximum assessable fees. Notice of the public hearing was published in the Fort Worth Star-Telegram, Denton Record-Chronicle, Weatherford Democrat, and Wise County Messenger on December 6, 2017 in accordance with TLGC. On January 9, 2018, the City Council conducted a public hearing at its regularly scheduled City Council meeting to receive comments from the public on the proposed amendments. The TLGC requires that the City Council act on the amendments within the 30 days after the date of the public hearing.

The 2017 land use assumptions update includes amending the service area boundaries and growth projections for each service area over a 10-year horizon. They also include a new service area for Panther Island, as well as the conversion of the previously no-fee service area V to an active fee service

area. The capital improvements plan update includes amending the list of impact fee-eligible projects and costs for the same time period based on the amended land use assumptions for each service area, including the new fee service areas. The determination of the maximum assessable fees is based on the amended land use assumptions and capital improvements plan.

Additionally, Staff has prepared five collection rate options for the Council's consideration, as presented to City Council during the January 9 City Council Work Session and attached to this M&C.

Staff recommends Option C which increases the current collection rate fees by 25 percent to account for construction cost inflation for both residential and non-residential uses on a smoothed basis across all service areas, as shown on the corresponding Attachment B – Schedule 2. On November 17, 2017, the CIAC unanimously recommended that City Council adopt Option C.

This M&C does not request approval of a contract with a business entity.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that the Planning and Development Department is responsible for the collection and deposit of funds due to the City.

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**FUND IDENTIFIERS (FIDs):**

**TO**

Fund	Department ID	Account	Project ID	Program	Activity	Budget Year	Reference # (Chartfield 2)	Amount
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**FROM**

Fund	Department ID	Account	Project ID	Program	Activity	Budget Year	Reference # (Chartfield 2)	Amount
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**CERTIFICATIONS:**

**Submitted for City Manager's Office by:**

Fernando Costa (6122)

**Originating Department Head:**

Randle Harwood (6101)

DJ Harrell (8032)

**Additional Information Contact:**

Julie Westerman (2677)

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