



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/11/2021

ALL

Item Creation Date: 4/29/2021

HPW - 20HPW10R Adopting Amended Land Use Assumptions, Capital Improvements Plan and Impact Fees

Agenda Item#: 44.

### **Summary:**

ORDINANCE Adopting Amended Land Use Assumptions, Capital Improvements Plan, and Impact Fees in accordance with Chapter 395 of the Texas Local Government Code

### **Background:**

**SUBJECT:** Adopting Amended Land Use Assumptions, Capital Improvements Plan and Impact Fees.

**RECOMMENDATION:** (Summary) Approve an Ordinance adopting Amended Land Use Assumptions, Capital Improvements Plan and Impact Fees in accordance with Chapter 395 of the Texas Local Government Code.

**SPECIFIC EXPLANATION:** The City adopted impact fees in accordance with Chapter 395 of the Texas Local Government Code ("Chapter 395") and the City Council passed Ordinance 2005-0958 on August 24, 2005, which set the City's Land Use Assumptions, Capital Improvement Plan, and Impact Fees. The City updated these four impact fee items by Ordinance No. 2010-0482, with correction of a technical error by Ordinance No. 2010-0583. These items must be updated at least every ten years, and the City received a one-year extension due to the pandemic. The City Council passed Ordinance No. 2019-0212, effective March 27, 2019, approving a contract (the "Study Contract") with Carollo Engineers, Inc. to provide engineering services related to impact fees and assist Houston Public Works (HPW) in updating the City's land use assumptions, capital improvements plan, and water and wastewater impact fees resulting in the *2020 Cost of Service Study, Water & Wastewater Impact Fees Update* (the "Study"). The City Council received the Study, which includes updated water and wastewater land use assumptions, water and wastewater capital improvements plans, and calculation of maximum water and wastewater impact fees on March 22, 2021 and the City made the Study and proposed impact fees available to the public through posting on the City Secretary's Office on or before March 22, 2021 also.

The City adopted an ordinance calling a Public Hearing on March 24, 2021 and published Notice of Public Hearing on Amendment of Impact Fees on March 26, 2021 in accordance with Chapter 395. Before March 26, 2021, the City Secretary exercised due diligence in reviewing correspondence and found that no person requested from the City written notice of an amendment to impact fees as described in Chapter 395. The Planning Commission, acting as the Impact Fee Advisory Committee, considered the Study and a presentation by Houston Public Works regarding updates to the Land Use Assumptions, Impact Fee-Capital Improvements Plan, maximum calculated impact fees per service unit, and recommended changes to the Water and Wastewater Impact Fees at its meeting on April 1, 2021. The Planning Commission filed its written comments on the Study and proposed impact fees on April 20, 2021, which comments were also posted on the City Secretary's website.

On April 28, 2021, City Council held a public hearing on the proposed Land Use Assumptions, Capital Improvements Plan, and Impact Fees in accordance with Chapter 395. Now, in accordance with Chapter 395, HPW requests the City Council adopt the findings of the Study and enact an ordinance updating the land use assumptions, impact fee capital improvements plan and the Water and Wastewater Impact Fees per service unit over Fiscal Year 2022 through Fiscal Year 2026.

With the one-year extension granted by the Governor's Office, impact fees must be adopted by July 1, 2021 to meet the Chapter 395 deadline. This item requires two readings and may not be enacted on an emergency basis.

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5/6/2021

Carol Ellinger Haddock, P.E., Director  
Houston Public Works

### **Prior Council Action:**

Ordinance No. 2005-0958; August 24, 2005  
Ordinance No. 2010-0482; June 30, 2010  
Ordinance No. 2010-0583; July 28, 2010  
Ordinance No. 2019-0212, March 27, 2019

### **Contact Information:**

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**ATTACHMENTS:**

**Description**

Signed Coversheet  
Prior Council Action (2005-958)  
Prior Council Action (2010-482)  
Prior Council Action (2010-583)  
Prior Council Action (2019-212)  
Caption

**Type**

Signed Cover sheet  
Backup Material  
Backup Material  
Backup Material  
Backup Material  
Other