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February 6, 2024

Ms. Stephanie Doland, Director of Development Services  
City of Brenham  
200 West Vulcan Street  
Brenham, TX 77833

Re: 2023 Impact Fee Study  
City of Brenham, Texas

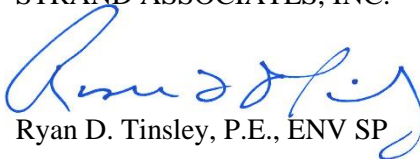
Dear Ms. Doland:

Enclosed is the draft 2023 Impact Fee Study. Please review and provide any suggested revisions before finalization.

Please call me at 979-836-7937 should you have any questions.

Sincerely,

STRAND ASSOCIATES, INC.®



Ryan D. Tinsley, P.E., ENV SP

Enclosure: Report

TBPE No. F-8405  
TBPLS No. 10030000

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# Report for City of Brenham, Texas

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## 2023 Impact Fee Study

This document is released for the purpose of review under the authority of Ryan D. Tinsley, P.E. 132320 on February 6, 2024. It is not to be used for construction, bidding, or permit purposes.

Prepared by:

STRAND ASSOCIATES, INC.®

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February 2024



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## INTRODUCTION

This report documents the City of Brenham, Texas (City) 2023 Impact Fee Study (Study) for the development of maximum allowable impact fees for water, wastewater, and roadway facilities. Texas Local Government Code Chapter 395 (Chapter 395) authorizes political subdivisions, such as cities, to assess impact fees in Texas for water-, wastewater-, and roadway-related capital improvement plan (CIP) projects attributable to new development. Chapter 395 was followed to develop the maximum allowable impact fees for the Study.

## TEXAS LOCAL GOVERNMENT CODE CHAPTER 395

Before an impact fee can be assessed, Chapter 395 requires that a CIP be prepared or updated by qualified professionals. See Texas Local Government Code Chapter 395 in Appendix A. Chapter 395 defines an impact fee as “a charge or assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development.” An impact fee may be imposed only to pay the costs of constructing capital improvements or facility expansions, including and limited to:

- Construction contract price.
- Surveying and engineering fees.
- Land acquisition costs, including land purchases, court awards, attorney’s fees, and expert witness fees.
- Fees actually paid or contracted to be paid to an independent qualified engineer or financial consultant preparing or updating the CIP who is not an employee of the political subdivision (City).

Impact fees may not be adopted or used to pay for:

- Construction, acquisition, or expansion of public facilities or assets other than capital improvements or facility expansions identified in the CIP.
- Repair, operation, or maintenance of existing or new capital improvements or facility expansions.
- Upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards.
- Upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development.
- Administrative and operating costs of the political subdivision, as allowed.
- Principal payments and interest or other finance charges on bonds or other indebtedness, except as allowed by Section 395.012 of Chapter 395.

Impact fees allow cities to recover a portion of the cost associated with infrastructure constructed to serve future development; therefore, the cost is not fully borne by existing rate payers. Chapter 395 requires that impact fees collected are spent on projects listed on the CIPs developed by the Study and allows only the growth over a 10-year period to be attributable to the cost of each project.

## **DEVELOPMENT OF IMPACT FEES**

Many of the initial steps outlined in Chapter 395 for the development of impact fees were included in the *Service Areas, Land Use Assumptions, and Population Projections Technical Memorandum* (Tech Memo), dated August 18, 2023. The Tech Memo establishes the service areas, land use assumptions, and population projections developed with the assistance of City staff and the City's Capital Improvements Advisory Committee (CIAC). The Future Land Use Map (Appendix B) was adopted by the City Council on December 7, 2023, in accordance with Chapter 395.

## **WATER AND WASTEWATER SERVICE AREAS**

Existing water and wastewater service areas can generally be determined from the location of the respective mains. Chapter 395 allows the City limits, as well as the City's extraterritorial jurisdiction (ETJ), to be considered the service area for water and wastewater facilities. Strand understands that the City prefers to include the City's ETJ within the water and wastewater service area. The dashed outer boundary in the Future Land Use Map in Appendices C and D show the City's ETJ and the limits of the water and wastewater service areas, respectively. The service units for water and wastewater improvements will be assessed in terms of residential equivalent connections (REC), or the volume of water used by a standard 1-inch water meter during a 1-day period. Single-family residential units are equivalent to one REC. Multifamily residential, commercial, and industrial units will be adjusted to reflect their respective demand on the water and wastewater distribution and collection systems, and in accordance with their ratio to a 1-inch water meter as established by the American Water Works Association (AWWA).

## **ROADWAY FACILITY SERVICE AREAS**

Chapter 395 defines roadway service areas differently than water and wastewater service areas. Roadway service areas can be no more than 6 miles and are confined to the existing City limits. The Roadway Impact Fee Service Area Map in Appendix E shows that one roadway service area encompassing the entirety of the City limits is being evaluated for the Study.

The service units for roadway improvements will be assessed as the number of vehicle-miles. A vehicle-mile is the capacity consumed in a single lane in the PM peak hour by a vehicle making a trip 1 mile in length. The PM peak hour is used as a basis for transportation planning and the estimation of trips caused by new development.

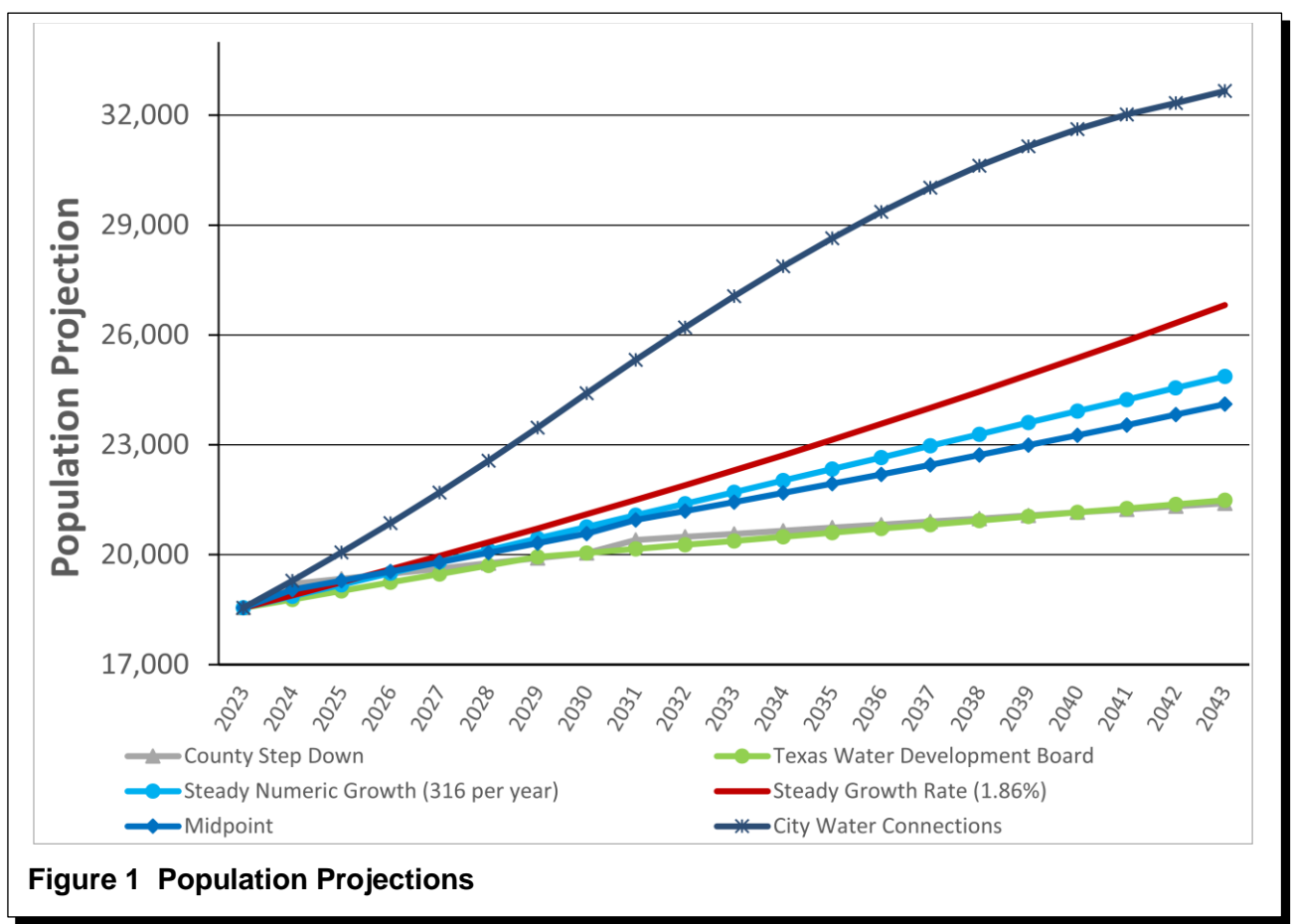
## **EXISTING AND FUTURE LAND USE ASSUMPTIONS**

The Future Land Use Map in Appendix B was created using the City's Existing and Future Land Use Maps from the 2019 Comprehensive Plan as a foundation. Before updating the land uses to match what has been developed since 2019, the current City limits and ETJ were updated to reflect tracts of

land that have been annexed since the 2019 land use maps were created. The parcels in the 2019 Future Land Use Map were reviewed and updated based on their current land uses as of June 2023. Parcels that were found to be developed as of June 2023 had their land use updated to be consistent with their use. The properties that are undeveloped or currently being developed are hatched to show future land uses (such as residential, commercial, or industrial). See Appendix B for the Future Land Use Map.

**POPULATION PROJECTIONS**

From 1970 through 2020, the City averaged a modest population growth rate of approximately 1.35 percent, according to the United States Census Bureau. Looking forward, the City’s 2019 Comprehensive Plan considered a variety of population projection methodologies to predict the City’s future population growth. The five lower 20-year population projections shown in Figure 1 were modeled using the same methodologies that were used in the City’s 2019 Comprehensive Plan. The 2019 Comprehensive Plan models were recalculated to reflect more recent rates and were updated appropriately.



**Figure 1 Population Projections**

- County Step Down—This method assumed the population of the City reflects a percentage of the projected population of Washington County, Texas (County) in a given year. The graph in Figure 1 assumes that the City accounts for approximately 52.5 percent of the total population of the County. This percentage comes from the Texas Water Development Board (TWDB) projections for the City and County.
- TWDB—This government organization creates its own projections for cities at the beginning of every decade (i.e., 2020, 2030, 2040, and continuing) based on the number of projected water connections across the state of Texas. TWDB projections have been updated since the development of the 2019 Comprehensive Plan and updates are reflected in Figure 1.
- Steady Numeric Growth—This linear model assumes that the population will increase by approximately 316 people each year. This was the average growth per year from 2018 to 2023.
- Steady Growth Rate—This exponential model is based on the 1.86 percent compound annual growth rate (CAGR) the City had from 2018 to 2023.
- Midpoint—This model takes the average population from the lower County Step Down projection and the higher Steady Growth Rate projection.

The five methodologies evaluated in the City's 2019 Comprehensive Plan did not anticipate the City's current population (18,549, as of June 2023) would be achieved until between 2027 and 2034, depending on the methodology used. Because of this, it was decided that a higher population projection was needed based on known and anticipated future developments.

Strand recently worked with the City to evaluate its water system and, in doing so, prepared an additional population projection based on the number of projected water connections that the City anticipates adding to the water distribution system over the next 20 years. The City reviewed these new projections and accepted them for the purposes of planning for future growth as it relates to its water expansion study and the Study.

## CIPs

As part of this Study, and as required by Chapter 395, water, wastewater, and roadway CIPs were developed. The CIPs were presented during a public hearing and adopted by the City Council on December 7, 2023. The adopted water, wastewater, and roadway CIPs are shown in Tables 1, 2, and 3, respectively. The associated service area maps with project IDs are included in Appendices C, D, and E.

Water CIP Projects		Opinion of Probable Costs
ID	Project Name	10-Year Costs (Escalated)
WT1	Surface Water Treatment Plant Improvements	\$4,021,076
WT2	Loesch Street Water Plant	\$11,700,000
WT3	Westside Water Plant	\$15,616,875
WS1	Highway 36 South Elevated Storage Tank	\$3,348,768
WS2	Gun and Rod Road Elevated Storage Tank	\$2,705,078
WM1	Highway 36 South Water Main Extension	\$486,375
WM2	Old Masonic Road Water Main Replacement and Extension	\$639,229
WM3	Dixie Road Water Main Extension	\$677,244
WM4	Mustang Road Water Main Extension	\$294,977
WM5	FM 2935 Water Main Extension	\$1,696,114
WM6	Highway 290 West Water Main Replacement	\$323,517
WM7	FM 332 Water Main Extension	\$866,999
WM8	Highway 290 East–Phase 1 Water Main Extension	\$625,352
WM9	Highway 105 Water Main Replacement and Extension	\$479,959
WM10	Small Area Plan Water Main Extension	\$1,257,507
WM11	Highway 290 East–Phase 2 Water Main Extension	\$327,504
Study	Water Impact Fee Study	\$65,000
<b>Total 10-Year Escalated Water CIP Costs:</b>		<b>\$45,131,575</b>

FM = Farm-to-Market

**Table 1 Water CIP Summary**

Wastewater CIP Projects		Opinion of Probable Costs
ID	Project Name	10-Year Costs (Escalated)
WWT1	Wastewater Treatment Plant Expansion Study	\$31,620
WWP1	Stone Hollow Lift Station, Force Main, and Gravity Sewer Replacement	\$301,509
WWP2	Business Center Lift Station–Phase 1, Force Main, and Gravity Sewer Replacement	\$1,439,074
WWP3	Industrial Boulevard Lift Station, Force Main, and Gravity Sewer Replacement	\$692,137
WWP4	Highway 105 Lift Station, Force Main, and Gravity Sewer Replacement	\$3,346,378
WWP5	TxDOT Lift Station and Force Main	\$548,385
WWP6	Old Masonic Road Lift Station, Force Main, and Gravity Sewer	\$1,468,627
WWP7	Henderson Park Lift Station (Pump Replacement), Force Main, and Gravity Sewer Replacement	\$313,212
WWP8	Munz Lift Station, Force Main, and Gravity Sewer Replacement	\$4,668,392
WWP9	Liberty Village Lift Station (Pump Replacement) and Gravity Sewer Replacement	\$384,439
WWP10	Mustang Road Lift Station, Force Main, and Gravity Sewer	\$1,237,439
WWP11	Business Center Lift Station–Phase 2 Force Main Replacement	\$561,451
WWP12	Ralston Creek Lift Station (Pump Replacement) and Force Main Replacement	\$1,050,765
WWP13	Highway 290 East Lift Station–Phase 1, Force Main, and Gravity Sewer	\$402,598
WWP14	K of C Hall Lift Station and Force Main	\$1,276,449
WWP15	Baker Katz Lift Station, Force Main, and Gravity Sewer Replacement	\$2,630,696
WWP16	Highway 36 South No. 2 Lift Station and Force Main	\$1,622,276
WWC1	Dixie Road Gravity Sewer Extension	\$191,552
WWC2	FM 2935 Gravity Sewer Extension	\$864,801
WWC3	FM 332 Gravity Sewer Extension	\$342,679
WWC4	Highway 105 Gravity Sewer Extension	\$396,058
WWC5	Highway 290 East Gravity Sewer Extension–Phase 2	\$95,111
WWC6	Highway 36 North Gravity Sewer Extension	\$615,288
Study	Wastewater Impact Fee Study	\$110,000
<b>Total 10-Year Escalated Wastewater CIP Costs:</b>		<b>\$24,590,935</b>

K of C = Knights of Columbus

### Table 2 Wastewater CIP Summary

Roadway CIP Projects		Opinion of Probable Costs
ID	Project Name	10-Year Costs (Escalated)
R1	Tom Green Street	\$6,318,265
R2	Schulte Boulevard Extension	\$2,479,225
R3	East Stone Street	\$6,832,797
R4	West Gun and Rod Road	\$2,827,324
R5	East Gun and Rod Road	\$2,798,166
R6	South Saeger Street	\$5,874,096
R7	Old Mill Creek Road	\$4,695,907
R8	Burleson Street	\$6,382,390
R9	North Dixie Street	\$5,079,093
R10	North Saeger Street	\$3,518,071
R11	Dixie Road Extension	\$4,470,477
R12	North Dixie Street	\$2,684,716
R13	South Blue Bell Road Extension	\$22,403,793
R14	Small Area Plan Collector	\$7,321,226
R15	Independence Road	\$3,769,669
R16	Salem Road	\$1,194,895
R17	Old Chappell Hill Road	\$655,382
R18	South Chappell Hill Street	\$995,746
I1	Academy–Austin Intersection	\$4,596
Study	Roadway Impact Fee Study	\$75,000
<b>Total 10-Year Escalated Roadway CIP Costs:</b>		<b>\$90,380,835</b>

**Table 3 Roadway CIP Summary**

**WATER, WASTEWATER, AND ROADWAY IMPACT FEES**

Impact fee analysis for water, wastewater and roadway impact fees considers the percentage of each project cost within the CIPs that is attributable to new development over the next 10-year period within the defined service area. For this Study, anticipated development between 2023 and 2033 was considered. Existing water, wastewater, and roadway capacities, and additional capacities serving development beyond 2033, are not eligible according to Chapter 395; therefore, these costs were not included in the impact fee development.

**MAXIMUM ALLOWABLE IMPACT FEE CALCULATION**

Chapter 395 states the impact fee per service unit may not exceed the amount determined by subtracting a credit from the cost of the capital improvements and dividing that amount by the total number of projected service units determined. Chapter 395 provides the following two methods to choose from for determining the credit:

1. A credit for the portion of ad valorem tax and utility service revenues generated by new service units during the program period that is used for the payment of improvements, including the payment of debt, that are included in the CIP.
2. A credit equal to 50 percent of the total projected cost of implementing the CIP.

The CIAC elected to calculate the credit based on the 50 percent method previously described. Chapter 395 also requires the consideration of project financing costs (added), existing fund balances (subtracted), and interest earned on impact fee fund balances (subtracted). These elements are either added or subtracted from the 10-year escalated CIP costs to determine a pre-credit recoverable cost.

In developing the components of the financial model several assumptions were made, including:

1. Financing
  - a. Projects funded by debt minus what has already been collected in previous impact fees.
  - b. 20-year debt terms at 5 percent interest.
2. Debt taken out is spent over a 3-year time frame.
3. Interest earned on deposits—1.28 percent, based on the TexPool rate of monthly performance as of April 6, 2023.
4. Average inflation of CIP costs—4 percent, based on Engineering News Record Construction Cost Index (2003 through 2023).

#### MAXIMUM ALLOWABLE WATER IMPACT FEE

The maximum allowable water impact fee per service unit is summarized in Table 4. The maximum allowable impact fee includes the CIP costs to serve development during the next 10 years, financing costs, existing fund balance, interest, and credit in accordance with Chapter 395.

<b>Water Impact Fee</b>	
10-Year Escalated CIP Costs:	\$45,131,575
Financing Cost (+):	\$8,874,838
Existing Fund Balance (-):	--
Interest Earnings (-):	(\$2,121,935)
<b>Pre-Credit Recoverable Costs:</b>	<b>\$51,884,478</b>
Pre-Credit Recoverable Costs:	\$51,884,478
50% Credit:	(\$25,942,239)
Maximum Recoverable Costs:	\$25,942,239
Service Units:	4,870
<b>Maximum Allowable Impact Fee Per Service Unit:</b>	<b>\$5,327</b>

**Table 4 Maximum Allowable Water Impact Fee**



**MAXIMUM ALLOWABLE WASTEWATER IMPACT FEE**

The maximum allowable wastewater impact fee per service unit is summarized in Table 5. The maximum allowable impact fee includes the CIP costs to serve development during the next 10 years, financing costs, existing fund balance, interest, and credit in accordance with Chapter 395.

<b>Wastewater Impact Fee</b>	
10-Year Escalated CIP Costs:	\$24,590,935
Financing Cost (+):	\$7,312,484
Existing Fund Balance (-):	--
Interest Earnings (-):	(\$1,687,373)
<b>Pre-Credit Recoverable Costs:</b>	<b>\$30,216,047</b>
Pre-Credit Recoverable Costs:	\$30,216,047
50% Credit:	(\$15,108,023)
Maximum Recoverable Costs:	\$15,108,023
Service Units:	4,870
<b>Maximum Allowable Impact Fee Per Service Unit:</b>	<b>\$3,102</b>

**Table 5 Maximum Allowable Wastewater Impact Fee**

**MAXIMUM ALLOWABLE ROADWAY IMPACT FEE**

The maximum allowable roadway impact fee per service unit is summarized in Table 6. The maximum allowable impact fee includes the CIP costs to serve development during the next 10 years, financing costs, existing fund balance, interest, and credit in accordance with Chapter 395.

<b>Roadway Impact Fee</b>	
10-Year Escalated CIP Costs:	\$90,380,835
Financing Cost (+):	\$27,486,907
Existing Fund Balance (-):	--
Interest Earnings (-):	(\$5,761,522)
<b>Pre-Credit Recoverable Costs:</b>	<b>\$112,106,220</b>
Pre-Credit Recoverable Costs:	\$112,106,220
50% Credit:	(\$56,053,110)
Maximum Recoverable Costs:	\$56,053,110
Service Units:	52,435
<b>Maximum Allowable Impact Fee Per Service Unit:</b>	<b>\$1,069</b>

**Table 6 Maximum Allowable Roadway Impact Fee**

**MAXIMUM ALLOWABLE WATER AND WASTEWATER IMPACT FEE BY WATER METER SIZE**

The American Water Works Association (AWWA) publishes equivalency tables that equate the maximum continuous duty flow for a standard residential water meter to larger meters. The associating water and wastewater impact fees are then scaled up based on the ratio of the standard residential water meter to that of a larger water meter. See Table 7 for the water and wastewater impact fees for various water meter types and sizes.

Meter Size (inch)	Meter Type	Continuous Duty Maximum Flow Rate (gpm)	Ratio to 1-Inch Meter	Maximum Allowable Impact Fees	
				Water	Wastewater
1	Displacement Type	25	1	\$5,327	\$3,102
1.5	Displacement Type	50	2	\$10,654	\$6,204
2	Displacement Type	80	3.2	\$17,046	\$9,926
2	Compound	80	3.2	\$17,046	\$9,926
3	Compound	175	7	\$37,289	\$21,714
3	Turbine Vertical Shaft	220	8.8	\$46,878	\$27,298
3	Turbine High Velocity	350	14	\$74,578	\$43,428
4	Compound	300	12	\$63,924	\$37,224
4	Turbine Vertical Shaft	420	16.8	\$89,494	\$52,114
4	Turbine High Velocity	650	26	\$138,502	\$80,652
6	Compound	675	27	\$143,829	\$83,754
6	Turbine Vertical Shaft	865	34.6	\$184,314	\$107,329
6	Turbine High Velocity	1,400	56	\$298,312	\$173,712
8	Compound	900	36	\$191,772	\$111,672
8	Turbine High Velocity	2,400	96	\$511,392	\$297,792
10	Turbine High Velocity	3,500	140	\$745,780	\$434,280
12	Turbine High Velocity	4,400	176	\$937,552	\$545,952

**Table 7 Water and Wastewater Impact Fees for Various Water Meter Types and Sizes**

**MAXIMUM ALLOWABLE ROADWAY IMPACT FEE BY VEHICLE-MILES CONSUMED**

The Institute of Transportation Engineers (ITE) publishes a Trip Generation Manual. The ITE Trip Generation Manual includes the number of vehicle miles consumed by various land use categories per development unit (DU). Development units vary between categories but are often based on number of dwelling units or gross floor area (GFA). The maximum roadway impact fees for various categories can be found in Table 8.

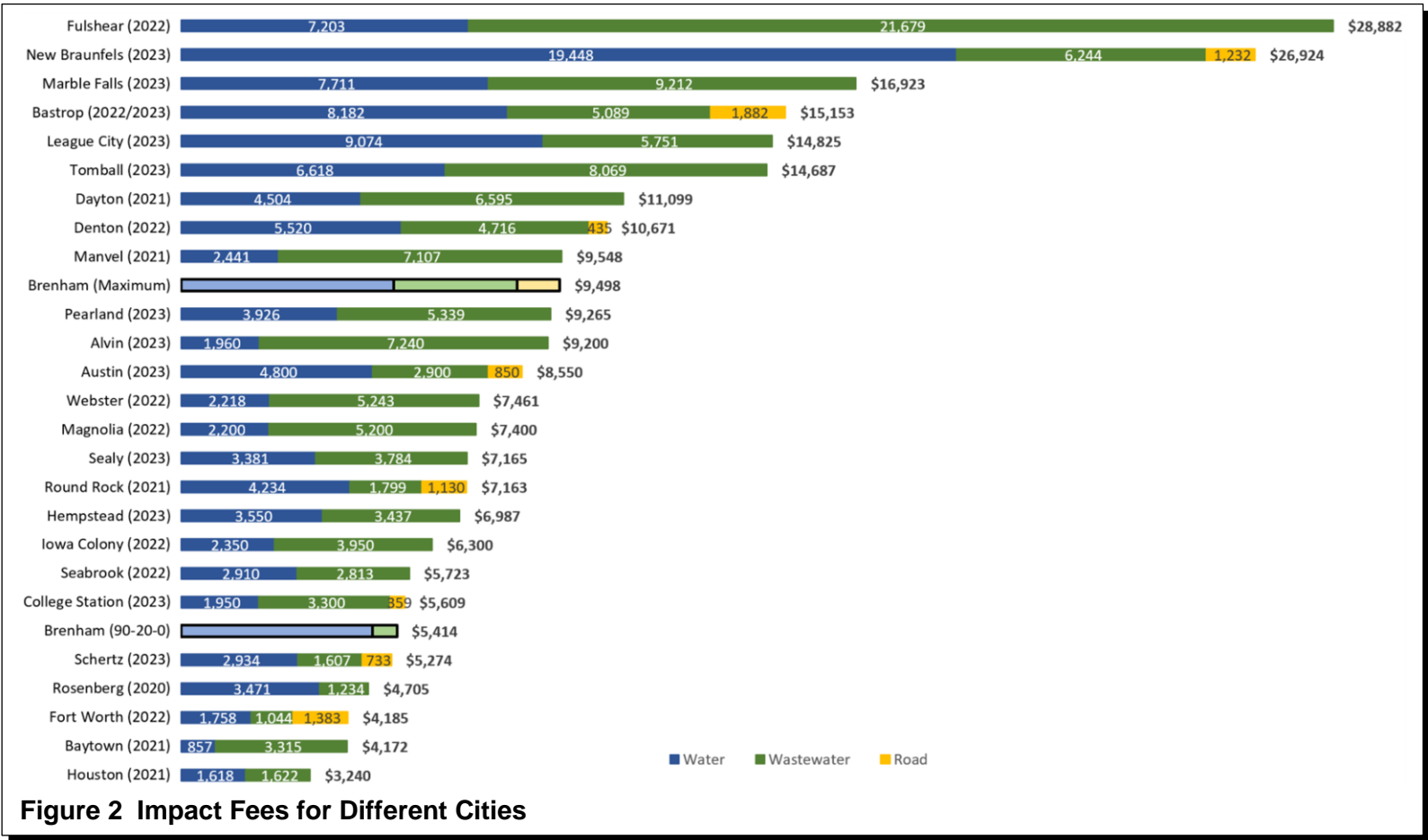
Land Use Category	DU	Vehicle Miles	Impact Fee per DU
<b>Residential</b>			
Assisted Living	Beds	1.19	\$1,274
Mobile Home Park	DU	2.88	\$3,078
Multifamily (Low-Rise)	DU	2.53	\$2,707
Multifamily (Mid-Rise)	DU	1.94	\$2,070
Senior Adult Housing–Attached	DU	1.24	\$1,327
Senior Adult Housing–Detached	DU	1.49	\$1,592
Single-Family (Detached)	DU	4.67	\$4,989
<b>Industrial</b>			
General Light Industrial–Default	1,000 sf GFA	3.88	\$4,152
Industrial Park	1,000 sf GFA	2.03	\$2,172
Manufacturing	1,000 sf GFA	4.42	\$4,727
Mini-Warehouse	1,000 sf GFA	0.90	\$958
Utility	1,000 sf GFA	12.91	\$13,797
Warehousing	1,000 sf GFA	1.08	\$1,150
<b>Lodging</b>			
Hotel	Room	2.93	\$3,131
Motel/Other Lodging Facilities	Room	1.79	\$1,911
<b>Office</b>			
Corporate Headquarters Building	1,000 sf GFA	7.80	\$8,338
General Office Building–Default	1,000 sf GFA	8.63	\$9,221
Government Office Building	1,000 sf GFA	10.26	\$10,968
Medical-Dental Office Building	1,000 sf GFA	23.58	\$25,207
Single Tenant Office Building	1,000 sf GFA	10.56	\$11,289
United States Post Office	1,000 sf GFA	67.26	\$71,901
<b>Recreational</b>			
Multiplex Movie Theater	1,000 sf GFA	37.02	\$39,574
Recreational Community Center	1,000 sf GFA	15.00	\$16,035
<b>Institutional</b>			
Church	1,000 sf GFA	2.28	\$2,433
Day Care Center	1,000 sf GFA	28.93	\$30,921
Elementary School	Students	0.74	\$794
Fire and Rescue Station (Private)	1,000 sf GFA	2.88	\$3,079
High School	Students	0.65	\$695
Junior/Community College	Students	0.51	\$546
Library	1,000 sf GFA	48.96	\$52,338
Middle School/High School	Students	0.70	\$745
Private School (K-8)	Students	1.21	\$1,291
Private School (K-12)	Students	0.79	\$844
<b>Medical</b>			
Animal–Veterinary Clinic	1,000 sf GFA	14.75	\$15,770
Clinic	1,000 sf GFA	22.03	\$23,549
Hospital	1,000 sf GFA	5.13	\$5,488
Nursing Home	Beds	0.84	\$893
<b>Dining</b>			
Coffee/Donut Shop with Drive-Thru	1,000 sf GFA	38.83	\$41,514
Coffee/Donut Shop without Drive-Thru	1,000 sf GFA	32.16	\$34,380
Drinking Place	1,000 sf GFA	28.29	\$30,238
Fast Food with Drive-Thru	1,000 sf GFA	49.35	\$52,752
Fast Food without Drive-Thru	1,000 sf GFA	44.10	\$47,146
Fine Dining Restaurant	1,000 sf GFA	14.50	\$15,502
High Turnover Restaurant (Sit Down)	1,000 sf GFA	17.13	\$18,308
<b>Services</b>			
Bank (Walk-In)	1,000 sf GFA	20.20	\$21,594
Bank (Drive-In)	Drive-In Lanes	48.83	\$52,199
Hair Salon	1,000 sf GFA	2.82	\$3,015
<b>Automobile</b>			
Automated Car Wash	1,000 sf GFA	23.64	\$25,274
Automobile Care Center	1,000 sf GFA	5.61	\$5,997
Automobile Parts/Service Center	1,000 sf GFA	3.72	\$3,972
Automobile Parts Sales	1,000 sf GFA	7.75	\$8,285
Automobile Sales (New)	1,000 sf GFA	5.04	\$5,384
Automobile Sales (Used)	1,000 sf GFA	7.80	\$8,343
Convenience Store/Gas Station	Fuel Positions	22.49	\$24,043
Gasoline/Service Station	Fuel Positions	16.60	\$17,743
Quick Lubrication Vehicle Stop	1,000 sf GFA	15.69	\$16,775
Self-Service Car Wash	Wash Stalls	9.22	\$9,861
Tire Store	1,000 sf GFA	7.80	\$8,343
<b>Other Retail</b>			
Building Materials and Lumber Store	1,000 sf GFA	3.75	\$4,005
Department Store	1,000 sf GFA	3.79	\$4,049
Discount Store	1,000 sf GFA	7.67	\$8,203
Free-Standing Discount Store	1,000 sf GFA	10.79	\$11,534
Furniture Store	1,000 sf GFA	0.68	\$725
Hardware/Paint Store	1,000 sf GFA	6.12	\$6,542
Home Improvement Superstore	1,000 sf GFA	3.69	\$3,940
Liquor Store	1,000 sf GFA	30.90	\$33,033
Nursery (Garden Center)	1,000 sf GFA	13.48	\$14,411
Drugstore with Drive-Thru	1,000 sf GFA	14.51	\$15,507
Drugstore without Drive-Thru	1,000 sf GFA	11.10	\$11,865
Shopping Center–Default	1,000 sf GFA	6.70	\$7,161
Sporting Goods Superstore	1,000 sf GFA	4.16	\$4,444
Supermarket	1,000 sf GFA	18.88	\$20,178
Tractor Supply Store	1,000 sf GFA	2.53	\$2,699

sf = square feet

**Table 8 Roadway Fee per DU**

**WATER, WASTEWATER, AND ROADWAY IMPACT FEES ADOPTED BY NEIGHBORING COMMUNITIES**

A “waterfall” chart of water, wastewater, and roadway impact fees that have been adopted by neighboring communities can be found in Figure 2, along with the year in which the impact fees were adopted. The chart shows the City relative to neighboring communities if the City were to adopt the maximum allowable impact fees for water, wastewater, and roadways. The CIAC’s formal recommendation for initially setting the impact fees (i.e., 90 percent, 20 percent, and 0 percent of the maximum allowable impact fees for water, wastewater, and roadway, respectively) is also included in Figure 2. It should be noted that not all of the impact fees adopted by neighboring communities are the maximum allowable for that city.



**CONCLUSION**

This report has documented the City's Study. The development of these impact fees has been in accordance with Chapter 395 for the compilation of maximum allowable impact fees for water, wastewater, and roadway facilities, building off the Tech Memo previously provided.



LOCAL GOVERNMENT CODE

TITLE 12. PLANNING AND DEVELOPMENT

SUBTITLE C. PLANNING AND DEVELOPMENT PROVISIONS APPLYING TO MORE THAN ONE  
TYPE OF LOCAL GOVERNMENT

CHAPTER 395. FINANCING CAPITAL IMPROVEMENTS REQUIRED BY NEW DEVELOPMENT IN  
MUNICIPALITIES, COUNTIES, AND CERTAIN OTHER LOCAL GOVERNMENTS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 395.001. DEFINITIONS. In this chapter:

(1) "Capital improvement" means any of the following facilities that have a life expectancy of three or more years and are owned and operated by or on behalf of a political subdivision:

(A) water supply, treatment, and distribution facilities; wastewater collection and treatment facilities; and storm water, drainage, and flood control facilities; whether or not they are located within the service area; and

(B) roadway facilities.

(2) "Capital improvements plan" means a plan required by this chapter that identifies capital improvements or facility expansions for which impact fees may be assessed.

(3) "Facility expansion" means the expansion of the capacity of an existing facility that serves the same function as an otherwise necessary new capital improvement, in order that the existing facility may serve new development. The term does not include the repair, maintenance, modernization, or expansion of an existing facility to better serve existing development.

(4) "Impact fee" means a charge or assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development. The term includes amortized charges, lump-sum charges, capital recovery fees, contributions in aid of construction, and any other fee that functions as described by this definition. The term does not include:

(A) dedication of land for public parks or payment in lieu of the dedication to serve park needs;

(B) dedication of rights-of-way or easements or construction or dedication of on-site or off-site water distribution, wastewater

collection or drainage facilities, or streets, sidewalks, or curbs if the dedication or construction is required by a valid ordinance and is necessitated by and attributable to the new development;

(C) lot or acreage fees to be placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water or sewer mains or lines; or

(D) other pro rata fees for reimbursement of water or sewer mains or lines extended by the political subdivision.

However, an item included in the capital improvements plan may not be required to be constructed except in accordance with Section 395.019(2), and an owner may not be required to construct or dedicate facilities and to pay impact fees for those facilities.

(5) "Land use assumptions" includes a description of the service area and projections of changes in land uses, densities, intensities, and population in the service area over at least a 10-year period.

(6) "New development" means the subdivision of land; the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of the use of land; any of which increases the number of service units.

(7) "Political subdivision" means a municipality, a district or authority created under Article III, Section 52, or Article XVI, Section 59, of the Texas Constitution, or, for the purposes set forth by Section 395.079, certain counties described by that section.

(8) "Roadway facilities" means arterial or collector streets or roads that have been designated on an officially adopted roadway plan of the political subdivision, together with all necessary appurtenances. The term includes the political subdivision's share of costs for roadways and associated improvements designated on the federal or Texas highway system, including local matching funds and costs related to utility line relocation and the establishment of curbs, gutters, sidewalks, drainage appurtenances, and rights-of-way.

(9) "Service area" means the area within the corporate boundaries or extraterritorial jurisdiction, as determined under Chapter 42, of the political subdivision to be served by the capital improvements or facilities expansions specified in the capital improvements plan, except roadway facilities and storm water, drainage, and flood control facilities. The service area, for the purposes of this chapter, may include all or part of the land within the political subdivision or its extraterritorial jurisdiction, except for roadway facilities and storm water, drainage, and



flood control facilities. For roadway facilities, the service area is limited to an area within the corporate boundaries of the political subdivision and shall not exceed six miles. For storm water, drainage, and flood control facilities, the service area may include all or part of the land within the political subdivision or its extraterritorial jurisdiction, but shall not exceed the area actually served by the storm water, drainage, and flood control facilities designated in the capital improvements plan and shall not extend across watershed boundaries.

(10) "Service unit" means a standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards and based on historical data and trends applicable to the political subdivision in which the individual unit of development is located during the previous 10 years.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 1989, 71st Leg., ch. 566, Sec. 1(e), eff. Aug. 28, 1989;  
Acts 2001, 77th Leg., ch. 345, Sec. 1, eff. Sept. 1, 2001.

#### SUBCHAPTER B. AUTHORIZATION OF IMPACT FEE

Sec. 395.011. AUTHORIZATION OF FEE. (a) Unless otherwise specifically authorized by state law or this chapter, a governmental entity or political subdivision may not enact or impose an impact fee.

(b) Political subdivisions may enact or impose impact fees on land within their corporate boundaries or extraterritorial jurisdictions only by complying with this chapter, except that impact fees may not be enacted or imposed in the extraterritorial jurisdiction for roadway facilities.

(c) A municipality may contract to provide capital improvements, except roadway facilities, to an area outside its corporate boundaries and extraterritorial jurisdiction and may charge an impact fee under the contract, but if an impact fee is charged in that area, the municipality must comply with this chapter.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.012. ITEMS PAYABLE BY FEE. (a) An impact fee may be imposed only to pay the costs of constructing capital improvements or facility expansions, including and limited to the:

- (1) construction contract price;
- (2) surveying and engineering fees;

(3) land acquisition costs, including land purchases, court awards and costs, attorney's fees, and expert witness fees; and

(4) fees actually paid or contracted to be paid to an independent qualified engineer or financial consultant preparing or updating the capital improvements plan who is not an employee of the political subdivision.

(b) Projected interest charges and other finance costs may be included in determining the amount of impact fees only if the impact fees are used for the payment of principal and interest on bonds, notes, or other obligations issued by or on behalf of the political subdivision to finance the capital improvements or facility expansions identified in the capital improvements plan and are not used to reimburse bond funds expended for facilities that are not identified in the capital improvements plan.

(c) Notwithstanding any other provision of this chapter, the Edwards Underground Water District or a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may use impact fees to pay a staff engineer who prepares or updates a capital improvements plan under this chapter.

(d) A municipality may pledge an impact fee as security for the payment of debt service on a bond, note, or other obligation issued to finance a capital improvement or public facility expansion if:

(1) the improvement or expansion is identified in a capital improvements plan; and

(2) at the time of the pledge, the governing body of the municipality certifies in a written order, ordinance, or resolution that none of the impact fee will be used or expended for an improvement or expansion not identified in the plan.

(e) A certification under Subsection (d)(2) is sufficient evidence that an impact fee pledged will not be used or expended for an improvement or expansion that is not identified in the capital improvements plan.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.  
Amended by Acts 1995, 74th Leg., ch. 90, Sec. 1, eff. May 16, 1995.

Sec. 395.013. ITEMS NOT PAYABLE BY FEE. Impact fees may not be adopted or used to pay for:

(1) construction, acquisition, or expansion of public facilities or assets other than capital improvements or facility expansions identified in the capital improvements plan;

(2) repair, operation, or maintenance of existing or new capital improvements or facility expansions;

(3) upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards;

(4) upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;

(5) administrative and operating costs of the political subdivision, except the Edwards Underground Water District or a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may use impact fees to pay its administrative and operating costs;

(6) principal payments and interest or other finance charges on bonds or other indebtedness, except as allowed by Section 395.012.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.014. CAPITAL IMPROVEMENTS PLAN. (a) The political subdivision shall use qualified professionals to prepare the capital improvements plan and to calculate the impact fee. The capital improvements plan must contain specific enumeration of the following items:

(1) a description of the existing capital improvements within the service area and the costs to upgrade, update, improve, expand, or replace the improvements to meet existing needs and usage and stricter safety, efficiency, environmental, or regulatory standards, which shall be prepared by a qualified professional engineer licensed to perform the professional engineering services in this state;

(2) an analysis of the total capacity, the level of current usage, and commitments for usage of capacity of the existing capital improvements, which shall be prepared by a qualified professional engineer licensed to perform the professional engineering services in this state;

(3) a description of all or the parts of the capital improvements or facility expansions and their costs necessitated by and attributable to new development in the service area based on the approved land use assumptions, which shall be prepared by a qualified professional engineer licensed to perform the professional engineering services in this state;

(4) a definitive table establishing the specific level or quantity of use, consumption, generation, or discharge of a service unit for each category of capital improvements or facility expansions and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, and industrial;

(5) the total number of projected service units necessitated by and attributable to new development within the service area based on the approved land use assumptions and calculated in accordance with generally accepted engineering or planning criteria;

(6) the projected demand for capital improvements or facility expansions required by new service units projected over a reasonable period of time, not to exceed 10 years; and

(7) a plan for awarding:

(A) a credit for the portion of ad valorem tax and utility service revenues generated by new service units during the program period that is used for the payment of improvements, including the payment of debt, that are included in the capital improvements plan; or

(B) in the alternative, a credit equal to 50 percent of the total projected cost of implementing the capital improvements plan.

(b) The analysis required by Subsection (a)(3) may be prepared on a systemwide basis within the service area for each major category of capital improvement or facility expansion for the designated service area.

(c) The governing body of the political subdivision is responsible for supervising the implementation of the capital improvements plan in a timely manner.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, Sec. 2, eff. Sept. 1, 2001.

Sec. 395.015. MAXIMUM FEE PER SERVICE UNIT. (a) The impact fee per service unit may not exceed the amount determined by subtracting the amount in Section 395.014(a)(7) from the costs of the capital improvements described by Section 395.014(a)(3) and dividing that amount by the total number of projected service units described by Section 395.014(a)(5).

(b) If the number of new service units projected over a reasonable period of time is less than the total number of new service units shown by the approved land use assumptions at full development of the service area, the maximum impact fee per service unit shall be calculated by dividing the costs of the part of the capital improvements necessitated by and attributable to projected new service units described by Section 395.014(a)(6) by the projected new service units described in that section.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, Sec. 3, eff. Sept. 1, 2001.

Sec. 395.016. TIME FOR ASSESSMENT AND COLLECTION OF FEE. (a) This subsection applies only to impact fees adopted and land platted before June 20, 1987. For land that has been platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision before June 20, 1987, or land on which new development occurs or is proposed without platting, the political subdivision may assess the impact fees at any time during the development approval and building process. Except as provided by Section 395.019, the political subdivision may collect the fees at either the time of recordation of the subdivision plat or connection to the political subdivision's water or sewer system or at the time the political subdivision issues either the building permit or the certificate of occupancy.

(b) This subsection applies only to impact fees adopted before June 20, 1987, and land platted after that date. For new development which is platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision after June 20, 1987, the political subdivision may assess the impact fees before or at the time of recordation. Except as provided by Section 395.019, the political subdivision may collect the fees at either the time of recordation of the subdivision plat or connection to the political subdivision's water or sewer system or at the time the political subdivision issues either the building permit or the certificate of occupancy.

(c) This subsection applies only to impact fees adopted after June 20, 1987. For new development which is platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision before the adoption of an impact fee, an impact fee may not be collected on any service unit for which a valid building permit is issued within one year after the date of adoption of the impact fee.

(d) This subsection applies only to land platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision after adoption of an impact fee adopted after June 20, 1987. The political subdivision shall assess the impact fees before or at the time of recordation of a subdivision plat or other plat under Subchapter A, Chapter 212, or the subdivision or platting ordinance or procedures of any political subdivision in the official records of the county clerk of the county in which the tract is located. Except as provided by Section 395.019, if the political subdivision has water and wastewater capacity available:

(1) the political subdivision shall collect the fees at the time the political subdivision issues a building permit;

(2) for land platted outside the corporate boundaries of a municipality, the municipality shall collect the fees at the time an application for an individual meter connection to the municipality's water or wastewater system is filed; or

(3) a political subdivision that lacks authority to issue building permits in the area where the impact fee applies shall collect the fees at the time an application is filed for an individual meter connection to the political subdivision's water or wastewater system.

(e) For land on which new development occurs or is proposed to occur without platting, the political subdivision may assess the impact fees at any time during the development and building process and may collect the fees at either the time of recordation of the subdivision plat or connection to the political subdivision's water or sewer system or at the time the political subdivision issues either the building permit or the certificate of occupancy.

(f) An "assessment" means a determination of the amount of the impact fee in effect on the date or occurrence provided in this section and is the maximum amount that can be charged per service unit of such development. No specific act by the political subdivision is required.

(g) Notwithstanding Subsections (a)-(e) and Section 395.017, the political subdivision may reduce or waive an impact fee for any service unit that would qualify as affordable housing under 42 U.S.C. Section 12745, as amended, once the service unit is constructed. If affordable housing as defined by 42 U.S.C. Section 12745, as amended, is not constructed, the political subdivision may reverse its decision to waive or reduce the impact fee, and the political subdivision may assess an impact fee at any time during the development approval or building process or after the building process if an impact fee was not already assessed.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.  
Amended by Acts 1997, 75th Leg., ch. 980, Sec. 52, eff. Sept. 1, 1997;  
Acts 2001, 77th Leg., ch. 345, Sec. 4, eff. Sept. 1, 2001.

Sec. 395.017. ADDITIONAL FEE PROHIBITED; EXCEPTION. After assessment of the impact fees attributable to the new development or execution of an agreement for payment of impact fees, additional impact fees or increases in fees may not be assessed against the tract for any reason unless the number of service units to be developed on the tract increases. In the event of the increase in the number of service units, the impact fees to be imposed are limited to the amount attributable to the additional service units.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.018. AGREEMENT WITH OWNER REGARDING PAYMENT. A political subdivision is authorized to enter into an agreement with the owner of a tract of land for which the plat has been recorded providing for the time and method of payment of the impact fees.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.019. COLLECTION OF FEES IF SERVICES NOT AVAILABLE. Except for roadway facilities, impact fees may be assessed but may not be collected in areas where services are not currently available unless:

(1) the collection is made to pay for a capital improvement or facility expansion that has been identified in the capital improvements plan and the political subdivision commits to commence construction within two years, under duly awarded and executed contracts or commitments of staff time covering substantially all of the work required to provide service, and to have the service available within a reasonable period of time considering the type of capital improvement or facility expansion to be constructed, but in no event longer than five years;

(2) the political subdivision agrees that the owner of a new development may construct or finance the capital improvements or facility expansions and agrees that the costs incurred or funds advanced will be credited against the impact fees otherwise due from the new development or agrees to reimburse the owner for such costs from impact fees paid from other new developments that will use such capital improvements or facility expansions, which fees shall be collected and reimbursed to the owner at the time the other new development records its plat; or

(3) an owner voluntarily requests the political subdivision to reserve capacity to serve future development, and the political subdivision and owner enter into a valid written agreement.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.020. ENTITLEMENT TO SERVICES. Any new development for which an impact fee has been paid is entitled to the permanent use and benefit of the services for which the fee was exacted and is entitled to receive immediate service from any existing facilities with actual capacity to serve the new service units, subject to compliance with other valid regulations.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.021. AUTHORITY OF POLITICAL SUBDIVISIONS TO SPEND FUNDS TO REDUCE FEES. Political subdivisions may spend funds from any lawful source to pay for all or a part of the capital improvements or facility expansions to reduce the amount of impact fees.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.022. AUTHORITY OF POLITICAL SUBDIVISION TO PAY FEES. (a) Political subdivisions and other governmental entities may pay impact fees imposed under this chapter.

(b) A school district is not required to pay impact fees imposed under this chapter unless the board of trustees of the district consents to the payment of the fees by entering a contract with the political subdivision that imposes the fees. The contract may contain terms the board of trustees considers advisable to provide for the payment of the fees.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 250 (S.B. 883), Sec. 1, eff. May 25, 2007.

Sec. 395.023. CREDITS AGAINST ROADWAY FACILITIES FEES. Any construction of, contributions to, or dedications of off-site roadway facilities agreed to or required by a political subdivision as a condition of development approval shall be credited against roadway facilities impact fees otherwise due from the development.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.024. ACCOUNTING FOR FEES AND INTEREST. (a) The order, ordinance, or resolution levying an impact fee must provide that all funds collected through the adoption of an impact fee shall be deposited in interest-bearing accounts clearly identifying the category of capital improvements or facility expansions within the service area for which the fee was adopted.

(b) Interest earned on impact fees is considered funds of the account on which it is earned and is subject to all restrictions placed on use of



impact fees under this chapter.

(c) Impact fee funds may be spent only for the purposes for which the impact fee was imposed as shown by the capital improvements plan and as authorized by this chapter.

(d) The records of the accounts into which impact fees are deposited shall be open for public inspection and copying during ordinary business hours.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.025. REFUNDS. (a) On the request of an owner of the property on which an impact fee has been paid, the political subdivision shall refund the impact fee if existing facilities are available and service is denied or the political subdivision has, after collecting the fee when service was not available, failed to commence construction within two years or service is not available within a reasonable period considering the type of capital improvement or facility expansion to be constructed, but in no event later than five years from the date of payment under Section 395.019(1).

(b) Repealed by Acts 2001, 77th Leg., ch. 345, Sec. 9, eff. Sept. 1, 2001.

(c) The political subdivision shall refund any impact fee or part of it that is not spent as authorized by this chapter within 10 years after the date of payment.

(d) Any refund shall bear interest calculated from the date of collection to the date of refund at the statutory rate as set forth in Section 302.002, Finance Code, or its successor statute.

(e) All refunds shall be made to the record owner of the property at the time the refund is paid. However, if the impact fees were paid by another political subdivision or governmental entity, payment shall be made to the political subdivision or governmental entity.

(f) The owner of the property on which an impact fee has been paid or another political subdivision or governmental entity that paid the impact fee has standing to sue for a refund under this section.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 1997, 75th Leg., ch. 1396, Sec. 37, eff. Sept. 1, 1997;

Acts 1999, 76th Leg., ch. 62, Sec. 7.82, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 345, Sec. 9, eff. Sept. 1, 2001.

Sec. 395.041. COMPLIANCE WITH PROCEDURES REQUIRED. Except as otherwise provided by this chapter, a political subdivision must comply with this subchapter to levy an impact fee.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.0411. CAPITAL IMPROVEMENTS PLAN. The political subdivision shall provide for a capital improvements plan to be developed by qualified professionals using generally accepted engineering and planning practices in accordance with Section 395.014.

Added by Acts 2001, 77th Leg., ch. 345, Sec. 5, eff. Sept. 1, 2001.

Sec. 395.042. HEARING ON LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN. To impose an impact fee, a political subdivision must adopt an order, ordinance, or resolution establishing a public hearing date to consider the land use assumptions and capital improvements plan for the designated service area.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, Sec. 5, eff. Sept. 1, 2001.

Sec. 395.043. INFORMATION ABOUT LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN AVAILABLE TO PUBLIC. On or before the date of the first publication of the notice of the hearing on the land use assumptions and capital improvements plan, the political subdivision shall make available to the public its land use assumptions, the time period of the projections, and a description of the capital improvement facilities that may be proposed.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, Sec. 5, eff. Sept. 1, 2001.

Sec. 395.044. NOTICE OF HEARING ON LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN. (a) Before the 30th day before the date of the hearing on the land use assumptions and capital improvements plan, the political subdivision shall send a notice of the hearing by certified mail to any person who has given written notice by certified or registered mail to the municipal secretary or other designated official of the political subdivision requesting notice of the hearing within two years preceding the

date of adoption of the order, ordinance, or resolution setting the public hearing.

(b) The political subdivision shall publish notice of the hearing before the 30th day before the date set for the hearing, in one or more newspapers of general circulation in each county in which the political subdivision lies. However, a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may publish the required newspaper notice only in each county in which the service area lies.

(c) The notice must contain:

(1) a headline to read as follows:

"NOTICE OF PUBLIC HEARING ON LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN RELATING TO POSSIBLE ADOPTION OF IMPACT FEES"

(2) the time, date, and location of the hearing;

(3) a statement that the purpose of the hearing is to consider the land use assumptions and capital improvements plan under which an impact fee may be imposed; and

(4) a statement that any member of the public has the right to appear at the hearing and present evidence for or against the land use assumptions and capital improvements plan.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, Sec. 5, eff. Sept. 1, 2001.

Sec. 395.045. APPROVAL OF LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN REQUIRED. (a) After the public hearing on the land use assumptions and capital improvements plan, the political subdivision shall determine whether to adopt or reject an ordinance, order, or resolution approving the land use assumptions and capital improvements plan.

(b) The political subdivision, within 30 days after the date of the public hearing, shall approve or disapprove the land use assumptions and capital improvements plan.

(c) An ordinance, order, or resolution approving the land use assumptions and capital improvements plan may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, Sec. 5, eff. Sept. 1, 2001.

Sec. 395.0455. SYSTEMWIDE LAND USE ASSUMPTIONS. (a) In lieu of adopting land use assumptions for each service area, a political subdivision may, except for storm water, drainage, flood control, and roadway facilities, adopt systemwide land use assumptions, which cover all of the area subject to the jurisdiction of the political subdivision for the purpose of imposing impact fees under this chapter.

(b) Prior to adopting systemwide land use assumptions, a political subdivision shall follow the public notice, hearing, and other requirements for adopting land use assumptions.

(c) After adoption of systemwide land use assumptions, a political subdivision is not required to adopt additional land use assumptions for a service area for water supply, treatment, and distribution facilities or wastewater collection and treatment facilities as a prerequisite to the adoption of a capital improvements plan or impact fee, provided the capital improvements plan and impact fee are consistent with the systemwide land use assumptions.

Added by Acts 1989, 71st Leg., ch. 566, Sec. 1(b), eff. Aug. 28, 1989.

Sec. 395.047. HEARING ON IMPACT FEE. On adoption of the land use assumptions and capital improvements plan, the governing body shall adopt an order or resolution setting a public hearing to discuss the imposition of the impact fee. The public hearing must be held by the governing body of the political subdivision to discuss the proposed ordinance, order, or resolution imposing an impact fee.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, Sec. 5, eff. Sept. 1, 2001.

Sec. 395.049. NOTICE OF HEARING ON IMPACT FEE. (a) Before the 30th day before the date of the hearing on the imposition of an impact fee, the political subdivision shall send a notice of the hearing by certified mail to any person who has given written notice by certified or registered mail to the municipal secretary or other designated official of the political subdivision requesting notice of the hearing within two years preceding the date of adoption of the order or resolution setting the public hearing.

(b) The political subdivision shall publish notice of the hearing before the 30th day before the date set for the hearing, in one or more newspapers of general circulation in each county in which the political subdivision lies. However, a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may publish the

required newspaper notice only in each county in which the service area lies.

(c) The notice must contain the following:

(1) a headline to read as follows:

"NOTICE OF PUBLIC HEARING ON ADOPTION OF IMPACT FEES"

(2) the time, date, and location of the hearing;

(3) a statement that the purpose of the hearing is to consider the adoption of an impact fee;

(4) the amount of the proposed impact fee per service unit; and

(5) a statement that any member of the public has the right to appear at the hearing and present evidence for or against the plan and proposed fee.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, Sec. 5, eff. Sept. 1, 2001.

Sec. 395.050. ADVISORY COMMITTEE COMMENTS ON IMPACT FEES. The advisory committee created under Section 395.058 shall file its written comments on the proposed impact fees before the fifth business day before the date of the public hearing on the imposition of the fees.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, Sec. 5, eff. Sept. 1, 2001.

Sec. 395.051. APPROVAL OF IMPACT FEE REQUIRED. (a) The political subdivision, within 30 days after the date of the public hearing on the imposition of an impact fee, shall approve or disapprove the imposition of an impact fee.

(b) An ordinance, order, or resolution approving the imposition of an impact fee may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, Sec. 5, eff. Sept. 1, 2001.

Sec. 395.052. PERIODIC UPDATE OF LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN REQUIRED. (a) A political subdivision imposing an impact fee shall update the land use assumptions and capital improvements plan at least every five years. The initial five-year period begins on the day the capital improvements plan is adopted.

(b) The political subdivision shall review and evaluate its current land use assumptions and shall cause an update of the capital improvements plan to be prepared in accordance with Subchapter B.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, Sec. 6, eff. Sept. 1, 2001.

Sec. 395.053. HEARING ON UPDATED LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN. The governing body of the political subdivision shall, within 60 days after the date it receives the update of the land use assumptions and the capital improvements plan, adopt an order setting a public hearing to discuss and review the update and shall determine whether to amend the plan.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.054. HEARING ON AMENDMENTS TO LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLAN, OR IMPACT FEE. A public hearing must be held by the governing body of the political subdivision to discuss the proposed ordinance, order, or resolution amending land use assumptions, the capital improvements plan, or the impact fee. On or before the date of the first publication of the notice of the hearing on the amendments, the land use assumptions and the capital improvements plan, including the amount of any proposed amended impact fee per service unit, shall be made available to the public.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.055. NOTICE OF HEARING ON AMENDMENTS TO LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLAN, OR IMPACT FEE. (a) The notice and hearing procedures prescribed by Sections 395.044(a) and (b) apply to a hearing on the amendment of land use assumptions, a capital improvements plan, or an impact fee.

(b) The notice of a hearing under this section must contain the following:

(1) a headline to read as follows:

"NOTICE OF PUBLIC HEARING ON AMENDMENT OF IMPACT FEES"

(2) the time, date, and location of the hearing;

(3) a statement that the purpose of the hearing is to consider the amendment of land use assumptions and a capital improvements plan and

the imposition of an impact fee; and

(4) a statement that any member of the public has the right to appear at the hearing and present evidence for or against the update.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, Sec. 7, eff. Sept. 1, 2001.

Sec. 395.056. ADVISORY COMMITTEE COMMENTS ON AMENDMENTS. The advisory committee created under Section 395.058 shall file its written comments on the proposed amendments to the land use assumptions, capital improvements plan, and impact fee before the fifth business day before the date of the public hearing on the amendments.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.057. APPROVAL OF AMENDMENTS REQUIRED. (a) The political subdivision, within 30 days after the date of the public hearing on the amendments, shall approve or disapprove the amendments of the land use assumptions and the capital improvements plan and modification of an impact fee.

(b) An ordinance, order, or resolution approving the amendments to the land use assumptions, the capital improvements plan, and imposition of an impact fee may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.0575. DETERMINATION THAT NO UPDATE OF LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLAN OR IMPACT FEES IS NEEDED. (a) If, at the time an update under Section 395.052 is required, the governing body determines that no change to the land use assumptions, capital improvements plan, or impact fee is needed, it may, as an alternative to the updating requirements of Sections 395.052-395.057, do the following:

(1) The governing body of the political subdivision shall, upon determining that an update is unnecessary and 60 days before publishing the final notice under this section, send notice of its determination not to update the land use assumptions, capital improvements plan, and impact fee by certified mail to any person who has, within two years preceding the date that the final notice of this matter is to be published, give written notice by certified or registered mail to the municipal secretary or other designated official of the political subdivision requesting notice of

hearings related to impact fees. The notice must contain the information in Subsections (b) (2)-(5).

(2) The political subdivision shall publish notice of its determination once a week for three consecutive weeks in one or more newspapers with general circulation in each county in which the political subdivision lies. However, a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may publish the required newspaper notice only in each county in which the service area lies. The notice of public hearing may not be in the part of the paper in which legal notices and classified ads appear and may not be smaller than one-quarter page of a standard-size or tabloid-size newspaper, and the headline on the notice must be in 18-point or larger type.

(b) The notice must contain the following:

(1) a headline to read as follows:

"NOTICE OF DETERMINATION NOT TO UPDATE

LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS

PLAN, OR IMPACT FEES";

(2) a statement that the governing body of the political subdivision has determined that no change to the land use assumptions, capital improvements plan, or impact fee is necessary;

(3) an easily understandable description and a map of the service area in which the updating has been determined to be unnecessary;

(4) a statement that if, within a specified date, which date shall be at least 60 days after publication of the first notice, a person makes a written request to the designated official of the political subdivision requesting that the land use assumptions, capital improvements plan, or impact fee be updated, the governing body must comply with the request by following the requirements of Sections 395.052-395.057; and

(5) a statement identifying the name and mailing address of the official of the political subdivision to whom a request for an update should be sent.

(c) The advisory committee shall file its written comments on the need for updating the land use assumptions, capital improvements plans, and impact fee before the fifth business day before the earliest notice of the government's decision that no update is necessary is mailed or published.

(d) If, by the date specified in Subsection (b) (4), a person requests in writing that the land use assumptions, capital improvements plan, or impact fee be updated, the governing body shall cause an update of the land



use assumptions and capital improvements plan to be prepared in accordance with Sections 395.052-395.057.

(e) An ordinance, order, or resolution determining the need for updating land use assumptions, a capital improvements plan, or an impact fee may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 566, Sec. 1(d), eff. Aug. 28, 1989.

Sec. 395.058. ADVISORY COMMITTEE. (a) On or before the date on which the order, ordinance, or resolution is adopted under Section 395.042, the political subdivision shall appoint a capital improvements advisory committee.

(b) The advisory committee is composed of not less than five members who shall be appointed by a majority vote of the governing body of the political subdivision. Not less than 40 percent of the membership of the advisory committee must be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or governmental entity. If the political subdivision has a planning and zoning commission, the commission may act as the advisory committee if the commission includes at least one representative of the real estate, development, or building industry who is not an employee or official of a political subdivision or governmental entity. If no such representative is a member of the planning and zoning commission, the commission may still act as the advisory committee if at least one such representative is appointed by the political subdivision as an ad hoc voting member of the planning and zoning commission when it acts as the advisory committee. If the impact fee is to be applied in the extraterritorial jurisdiction of the political subdivision, the membership must include a representative from that area.

(c) The advisory committee serves in an advisory capacity and is established to:

(1) advise and assist the political subdivision in adopting land use assumptions;

(2) review the capital improvements plan and file written comments;

(3) monitor and evaluate implementation of the capital improvements plan;

(4) file semiannual reports with respect to the progress of the capital improvements plan and report to the political subdivision any perceived inequities in implementing the plan or imposing the impact fee; and

(5) advise the political subdivision of the need to update or revise the land use assumptions, capital improvements plan, and impact fee.

(d) The political subdivision shall make available to the advisory committee any professional reports with respect to developing and implementing the capital improvements plan.

(e) The governing body of the political subdivision shall adopt procedural rules for the advisory committee to follow in carrying out its duties.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

#### SUBCHAPTER D. OTHER PROVISIONS

Sec. 395.071. DUTIES TO BE PERFORMED WITHIN TIME LIMITS. If the governing body of the political subdivision does not perform a duty imposed under this chapter within the prescribed period, a person who has paid an impact fee or an owner of land on which an impact fee has been paid has the right to present a written request to the governing body of the political subdivision stating the nature of the unperformed duty and requesting that it be performed within 60 days after the date of the request. If the governing body of the political subdivision finds that the duty is required under this chapter and is late in being performed, it shall cause the duty to commence within 60 days after the date of the request and continue until completion.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.072. RECORDS OF HEARINGS. A record must be made of any public hearing provided for by this chapter. The record shall be maintained and be made available for public inspection by the political subdivision for at least 10 years after the date of the hearing.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.073. CUMULATIVE EFFECT OF STATE AND LOCAL RESTRICTIONS. Any state or local restrictions that apply to the imposition of an impact fee in a political subdivision where an impact fee is proposed are cumulative with the restrictions in this chapter.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.074. PRIOR IMPACT FEES REPLACED BY FEES UNDER THIS CHAPTER. An impact fee that is in place on June 20, 1987, must be replaced by an impact fee made under this chapter on or before June 20, 1990. However, any political subdivision having an impact fee that has not been replaced under this chapter on or before June 20, 1988, is liable to any party who, after June 20, 1988, pays an impact fee that exceeds the maximum permitted under Subchapter B by more than 10 percent for an amount equal to two times the difference between the maximum impact fee allowed and the actual impact fee imposed, plus reasonable attorney's fees and court costs.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.075. NO EFFECT ON TAXES OR OTHER CHARGES. This chapter does not prohibit, affect, or regulate any tax, fee, charge, or assessment specifically authorized by state law.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.076. MORATORIUM ON DEVELOPMENT PROHIBITED. A moratorium may not be placed on new development for the purpose of awaiting the completion of all or any part of the process necessary to develop, adopt, or update land use assumptions, a capital improvements plan, or an impact fee.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 441, Sec. 2, eff. Sept. 1, 2001.

Sec. 395.077. APPEALS. (a) A person who has exhausted all administrative remedies within the political subdivision and who is aggrieved by a final decision is entitled to trial de novo under this chapter.

(b) A suit to contest an impact fee must be filed within 90 days after the date of adoption of the ordinance, order, or resolution establishing the impact fee.

(c) Except for roadway facilities, a person who has paid an impact fee or an owner of property on which an impact fee has been paid is entitled to specific performance of the services by the political subdivision for which the fee was paid.

(d) This section does not require construction of a specific facility to provide the services.

(e) Any suit must be filed in the county in which the major part of the land area of the political subdivision is located. A successful

litigant shall be entitled to recover reasonable attorney's fees and court costs.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.078. SUBSTANTIAL COMPLIANCE WITH NOTICE REQUIREMENTS. An impact fee may not be held invalid because the public notice requirements were not complied with if compliance was substantial and in good faith.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Sec. 395.079. IMPACT FEE FOR STORM WATER, DRAINAGE, AND FLOOD CONTROL IN POPULOUS COUNTY. (a) Any county that has a population of 3.3 million or more or that borders a county with a population of 3.3 million or more, and any district or authority created under Article XVI, Section 59, of the Texas Constitution within any such county that is authorized to provide storm water, drainage, and flood control facilities, is authorized to impose impact fees to provide storm water, drainage, and flood control improvements necessary to accommodate new development.

(b) The imposition of impact fees authorized by Subsection (a) is exempt from the requirements of Sections 395.025, 395.052-395.057, and 395.074 unless the political subdivision proposes to increase the impact fee.

(c) Any political subdivision described by Subsection (a) is authorized to pledge or otherwise contractually obligate all or part of the impact fees to the payment of principal and interest on bonds, notes, or other obligations issued or incurred by or on behalf of the political subdivision and to the payment of any other contractual obligations.

(d) An impact fee adopted by a political subdivision under Subsection (a) may not be reduced if:

(1) the political subdivision has pledged or otherwise contractually obligated all or part of the impact fees to the payment of principal and interest on bonds, notes, or other obligations issued by or on behalf of the political subdivision; and

(2) the political subdivision agrees in the pledge or contract not to reduce the impact fees during the term of the bonds, notes, or other contractual obligations.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 669, Sec. 107, eff. Sept. 1, 2001.

Sec. 395.080. CHAPTER NOT APPLICABLE TO CERTAIN WATER-RELATED SPECIAL DISTRICTS. (a) This chapter does not apply to impact fees, charges, fees, assessments, or contributions:

(1) paid by or charged to a district created under Article XVI, Section 59, of the Texas Constitution to another district created under that constitutional provision if both districts are required by law to obtain approval of their bonds by the Texas Natural Resource Conservation Commission; or

(2) charged by an entity if the impact fees, charges, fees, assessments, or contributions are approved by the Texas Natural Resource Conservation Commission.

(b) Any district created under Article XVI, Section 59, or Article III, Section 52, of the Texas Constitution may petition the Texas Natural Resource Conservation Commission for approval of any proposed impact fees, charges, fees, assessments, or contributions. The commission shall adopt rules for reviewing the petition and may charge the petitioner fees adequate to cover the cost of processing and considering the petition. The rules shall require notice substantially the same as that required by this chapter for the adoption of impact fees and shall afford opportunity for all affected parties to participate.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 82(a), eff. Aug. 28, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, Sec. 11.257, eff. Sept. 1, 1995.

Sec. 395.081. FEES FOR ADJOINING LANDOWNERS IN CERTAIN MUNICIPALITIES. (a) This section applies only to a municipality with a population of 115,000 or less that constitutes more than three-fourths of the population of the county in which the majority of the area of the municipality is located.

(b) A municipality that has not adopted an impact fee under this chapter that is constructing a capital improvement, including sewer or waterline or drainage or roadway facilities, from the municipality to a development located within or outside the municipality's boundaries, in its discretion, may allow a landowner whose land adjoins the capital improvement or is within a specified distance from the capital improvement, as determined by the governing body of the municipality, to connect to the capital improvement if:

(1) the governing body of the municipality has adopted a finding under Subsection (c); and

(2) the landowner agrees to pay a proportional share of the cost of the capital improvement as determined by the governing body of the

municipality and agreed to by the landowner.

(c) Before a municipality may allow a landowner to connect to a capital improvement under Subsection (b), the municipality shall adopt a finding that the municipality will benefit from allowing the landowner to connect to the capital improvement. The finding shall describe the benefit to be received by the municipality.

(d) A determination of the governing body of a municipality, or its officers or employees, under this section is a discretionary function of the municipality and the municipality and its officers or employees are not liable for a determination made under this section.

Added by Acts 1997, 75th Leg., ch. 1150, Sec. 1, eff. June 19, 1997.

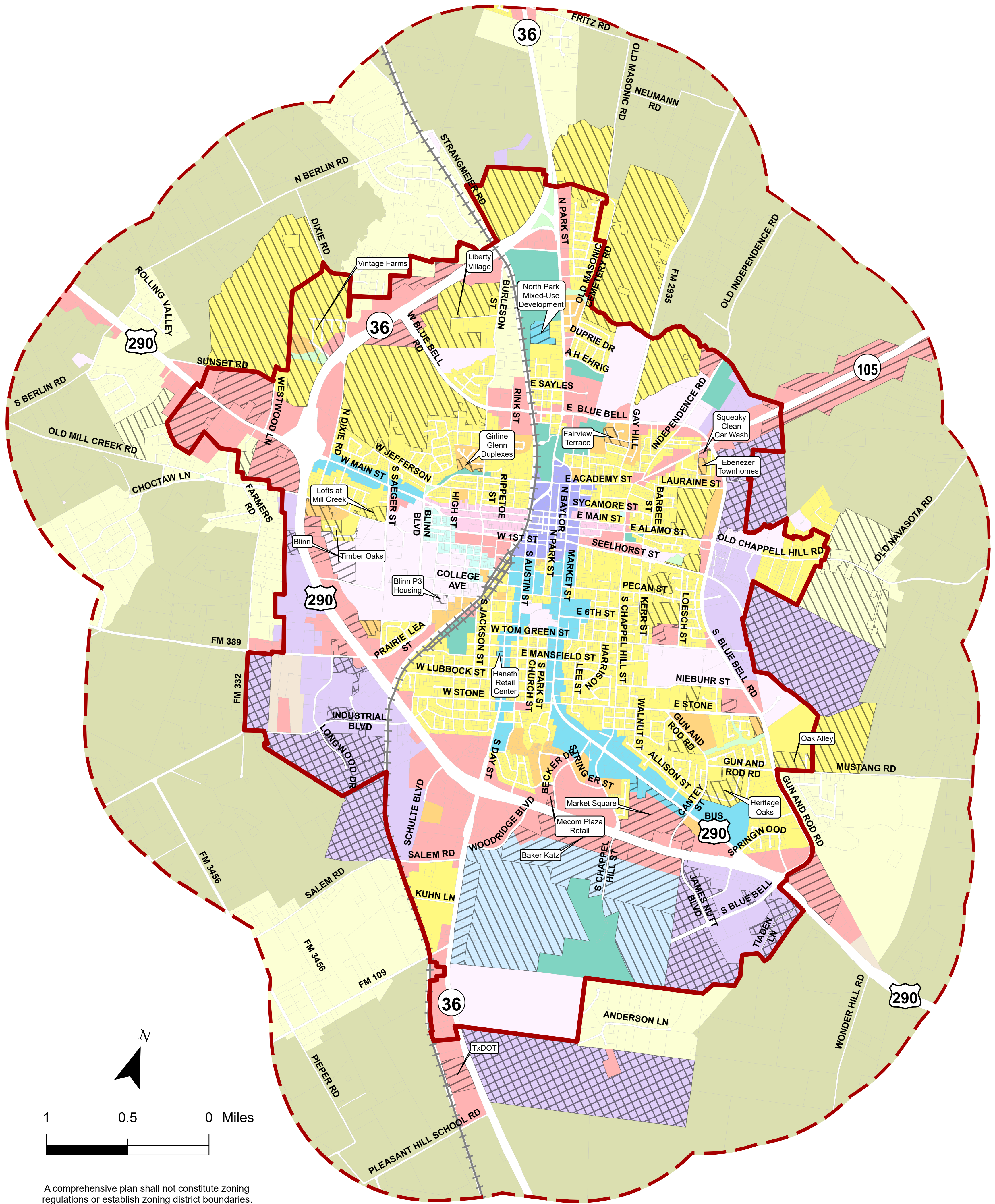
Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1043 (H.B. 3111), Sec. 5, eff. June 17, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 1163 (H.B. 2702), Sec. 100, eff. September 1, 2011.







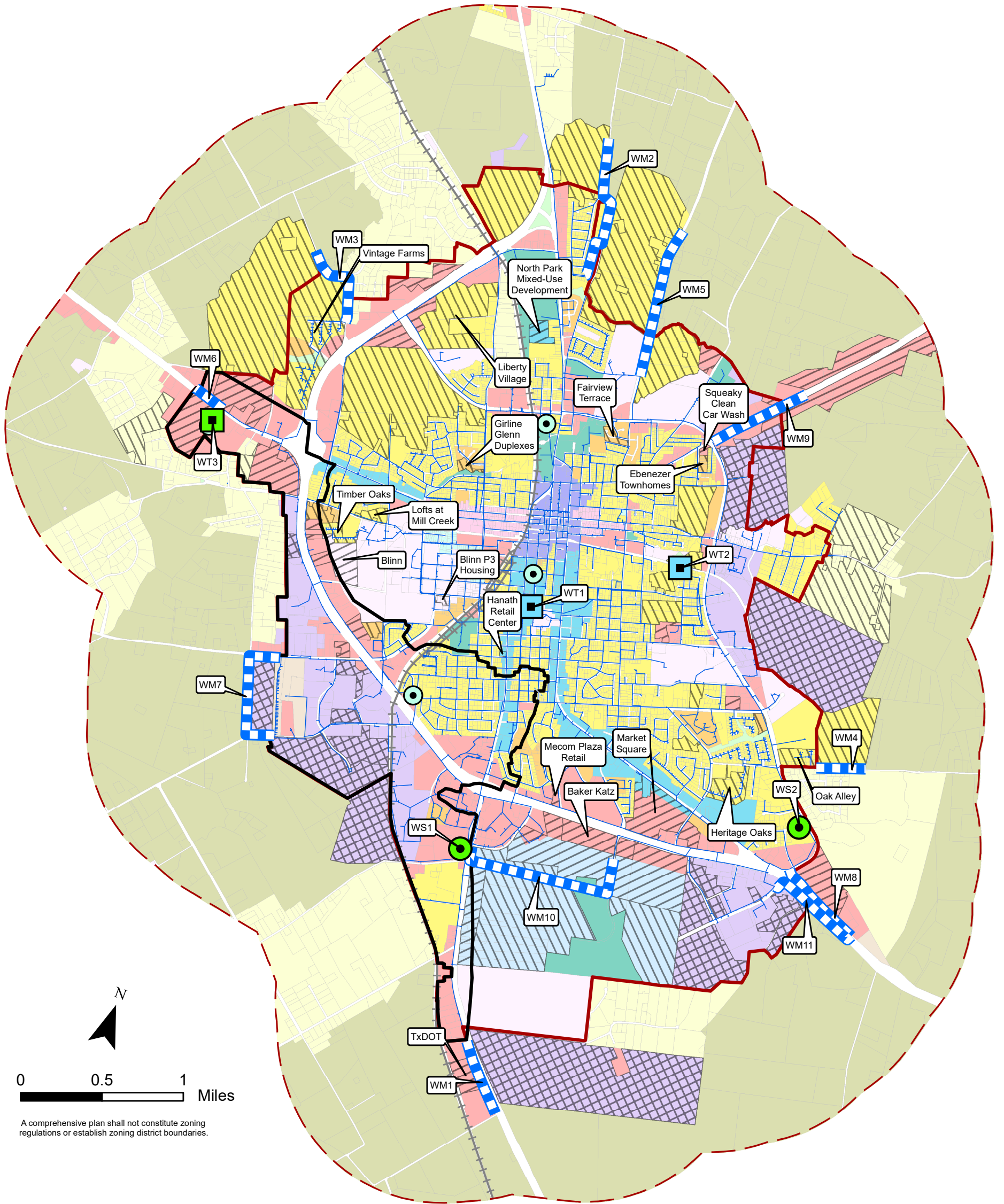
## Brenham, TX Future Land Use

### Legend

<b>Future Land Use Plan</b>	Mixed Use Blinn Adjacent	City Limits
Rural	Mixed Use Downtown Adjacent	ETJ
Open Space	Corridor Mixed Use	Railroad
Park	Planned Development	Future Commercial
Estate Residential	Downtown	Future Industrial
Single Family Residential	Local Public Facilities	Future Residential
Manufactured Homes	Commercial	
Multi-Family Residential	Industrial	







A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

## Brenham, TX Water Impact Fee Service Area

### Legend

#### Future Land Use Plan

- Rural
- Open Space
- Park
- Estate Residential
- Single Family Residential
- Manufactured Homes
- Multi-Family Residential

- Mixed Use Blinn Adjacent
- Mixed Use Downtown Adjacent
- Corridor Mixed Use
- Planned Development
- Downtown
- Local Public Facilities
- Commercial
- Industrial

- City Limits
- Extraterritorial Jurisdiction Boundary
- Railroad
- Future Commercial
- Future Residential
- Pressure Zone Boundary

#### Existing Infrastructure

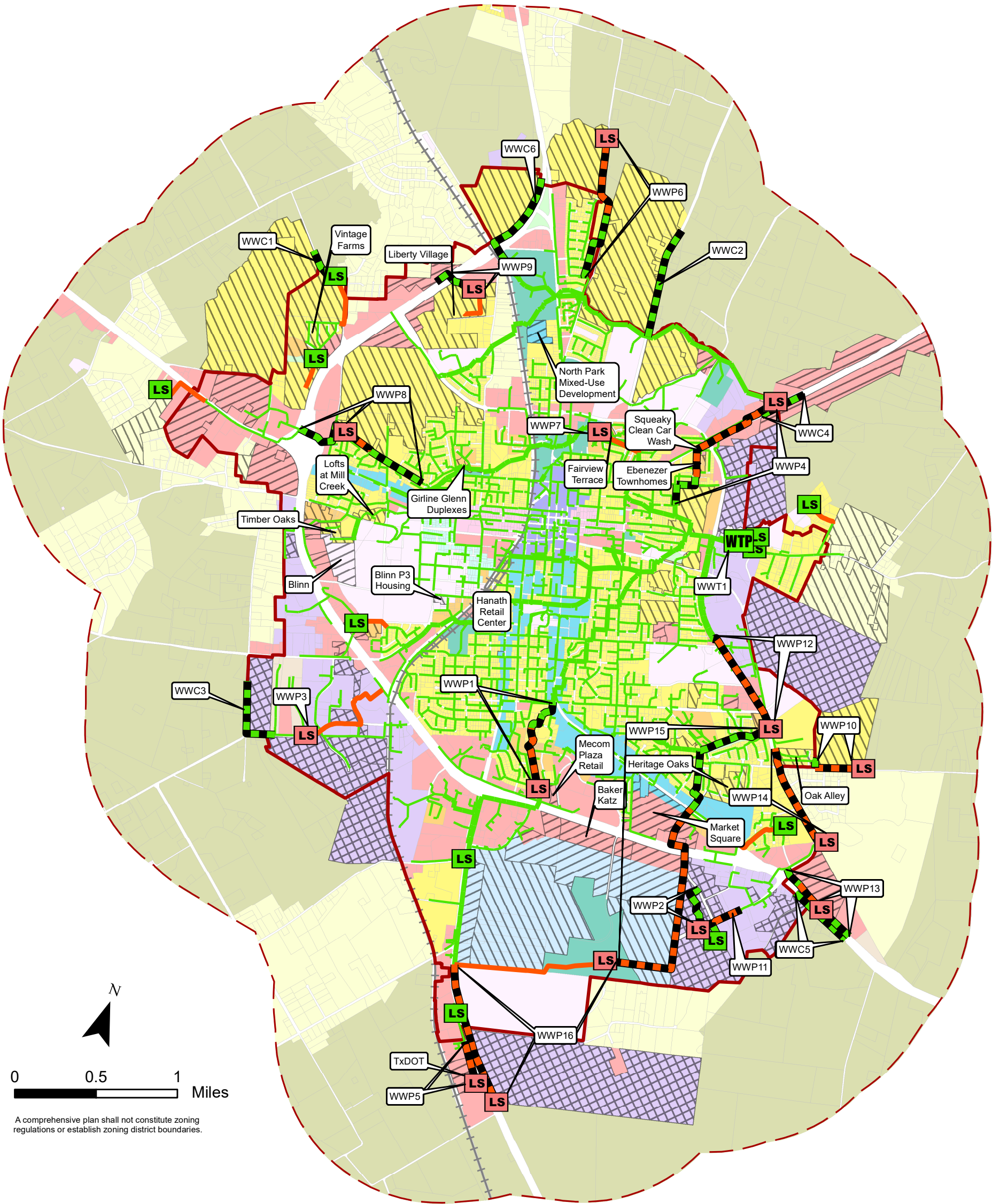
- Water Main
- Elevated Storage Tank
- Water Treatment Plant

#### Proposed Improvements

- Water Main
- Elevated Storage Tank
- Water Treatment Plant







## Brenham, TX Wastewater Impact Fee Service Area

### Legend

#### Future Land Use Plan

- Rural
- Open Space
- Park
- Estate Residential
- Single Family Residential
- Manufactured Homes
- Multi-Family Residential

- Mixed Use Blinn Adjacent
- Mixed Use Downtown Adjacent
- Corridor Mixed Use
- Planned Development
- Downtown
- Local Public Facilities
- Commercial
- Industrial

- City Limits
- Extraterritorial Jurisdiction Boundary
- Railroad
- Future Commercial
- Future Industrial
- Future Residential

#### Existing Infrastructure

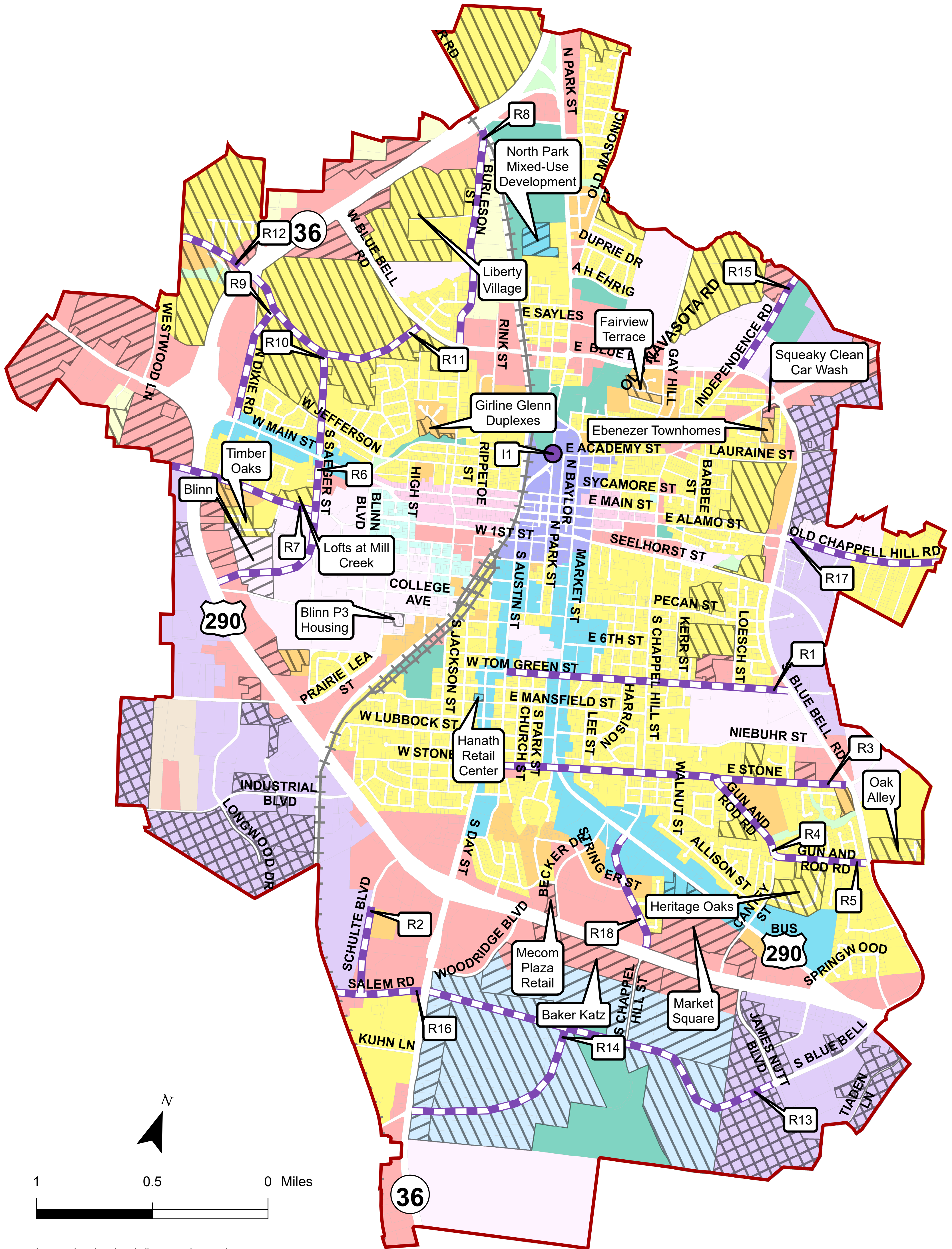
- Gravity Sewer >12"
- Gravity Sewer <12"
- Force Main
- Wastewater Treatment Plant
- Lift Station

#### Proposed Improvements

- Gravity Sewer
- Force Main
- Lift Station







### Legend

- |  |   |  |
|--|---|--|
| <p><b>Future Land Use Plan</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #f0e68c; border: 1px solid black; margin-right: 5px;"></span> Rural</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #90ee90; border: 1px solid black; margin-right: 5px;"></span> Open Space</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #3cb371; border: 1px solid black; margin-right: 5px;"></span> Park</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #ffff00; border: 1px solid black; margin-right: 5px;"></span> Estate Residential</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #ffcc00; border: 1px solid black; margin-right: 5px;"></span> Single Family Residential</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #ff9900; border: 1px solid black; margin-right: 5px;"></span> Manufactured Homes</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #ff6600; border: 1px solid black; margin-right: 5px;"></span> Multi-Family Residential</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #add8e6; border: 1px solid black; margin-right: 5px;"></span> Mixed Use Blinn Adjacent</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #ffb6c1; border: 1px solid black; margin-right: 5px;"></span> Mixed Use Downtown Adjacent</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #00bfff; border: 1px solid black; margin-right: 5px;"></span> Corridor Mixed Use</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #add8e6; border: 1px solid black; margin-right: 5px;"></span> Planned Development</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #8a2be2; border: 1px solid black; margin-right: 5px;"></span> Downtown</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #ffb6c1; border: 1px solid black; margin-right: 5px;"></span> Local Public Facilities</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #ff6600; border: 1px solid black; margin-right: 5px;"></span> Commercial</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #8a2be2; border: 1px solid black; margin-right: 5px;"></span> Industrial</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; border-bottom: 2px solid red; width: 20px; margin-right: 5px;"></span> City Limits</li> <li><span style="display: inline-block; border-bottom: 2px dashed black; width: 20px; margin-right: 5px;"></span> Railroad</li> <li><span style="display: inline-block; width: 15px; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black; margin-right: 5px;"></span> Future Commercial</li> <li><span style="display: inline-block; width: 15px; height: 10px; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black; margin-right: 5px;"></span> Future Industrial</li> <li><span style="display: inline-block; width: 15px; height: 10px; background: repeating-linear-gradient(-135deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black; margin-right: 5px;"></span> Future Residential</li> <li><span style="display: inline-block; border-bottom: 2px dashed purple; width: 20px; margin-right: 5px;"></span> Roadway CIP Projects</li> <li><span style="display: inline-block; width: 0; height: 0; border-left: 5px solid transparent; border-right: 5px solid transparent; border-bottom: 8px solid blue; margin-right: 5px;"></span> Intersection CIP Projects</li> </ul> |
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