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A RESOLUTION AMENDING AND ADOPTING A REVISED DIRECTORY OF CITY FEES AND CHARGES, SPECIFICALLY MODIFYING ROAD IMPACT FEES AND DRAINAGE IMPACT FEES

..Body

Summary & Background

The original *Road Impact Fee Study* was completed in 1999 and the *Road Impact Fee Ordinance* was adopted on August 21, 2000. In 2004, the City completed an update to the *Road Impact Fee Study*, but this was never adopted by the City. Despite significant increase in population and construction costs, the 2000 road impact fees are still used today.

Furthermore, the City has an unfunded need to construct master planned drainage improvements to convey increased stormwater runoff caused by new development. Improvements are needed to protect life and property during large storm events. The current fees collected to fund stormwater improvements have not been updated since the early-to-mid 2000s:

- Third Creek last updated in 2007
- Buffalo Run Tributary last updated in 2005
- Direct Flow Area 0053 last updated in 2006
- Second Creek last updated in 2003

Staff received input and direction from the City Council about the fees to be assessed for both the Road Impact and Drainage Fees at several City Council meetings. A copy of the Road and Drainage Impact Fee presentations from the January 9, 2023 City Council meeting are attached for reference as Attachment 1 and Attachment 2, respectively, which outlines the direction from City Council. The City Council subsequently approved the first reading of ordinances on February 6, 2023 to amend the Land Development Code updating the Road and Drainage Impact Fees, respectively, based off recent studies of the same for each. In order to establish the new impact fees, the *Directory of City Fees and Charges* must be updated by City Council by resolution.

The table below illustrates the current fee being assessed, the maximum calculated fee, and the proposed fee for the Northern Range and Core City areas based on City Council input for the Road Impact Fees and will be reflected in the updated *Directory of City Fees and Charges*:

The Northern Range Road Impact Fee Schedule shall be calculated as shown on the table below.

Land Use Type	Development Unit	Current Fee per Development Unit	New Calculated Maximum Fee per Development Unit	Proposed Fee per Development Unit Based on Council Direction
Industrial ⁽¹⁾				
110	General Light Industrial	1000 Sq. Ft.	\$1,146	\$3,393
130	Industrial Park	1000 Sq. Ft.	n/a	\$2,173
150	Warehouse	1000 Sq. Ft.	\$595	\$1,067
151	Mini-Warehouse	1000 Sq. Ft.	\$306	n/a
030	Transportation Terminal	Per 1 acre	\$18,468	n/a
Residential				
210	Single-Family Detached Housing	Dwelling Units	\$1,181	\$4,842
220	Multifamily Housing (low-rise)	Dwelling Units	\$726	\$2,745
221	Multifamily Housing (Mid-Rise)	Dwelling Units	n/a	\$2,173
240	Mobile Home Park	Per site	\$656	n/a
265	Lodging Establishment, including extended stay	Per room	\$674	n/a
Lodging				
310	Hotel	Rooms	\$674	\$2,935
311	All Suites Hotel	Rooms	n/a	n/a
312	Business Hotel	Rooms	n/a	n/a
330	Resort Hotel	Rooms	n/a	n/a
Recreational				
495	Recreational Community Center	1000 Sq. Ft.	n/a	\$11,322
431	Miniature Golf Course	1000 Sq.Ft.	n/a	n/a
436	Trampoline Park	1000 Sq.Ft.	n/a	n/a
437	Bowling Alley	1000 Sq.Ft.	n/a	n/a
444/445	Movie Theater	1000 Sq.Ft.	n/a	n/a
480	Amusement Park	1000 Sq.Ft.	n/a	n/a
482	Water Slide Park	1000 Sq.Ft.	n/a	n/a
Institutional				
520	Elementary School	1000 Sq. Ft.	\$656	\$5,032
522	Middle School/Junior High School	1000 Sq. Ft.	\$656	\$4,384
530	High School	1000 Sq. Ft.	\$656	\$3,584
620	Nursing Home/Assisted Living	1000 Sq. Ft.	\$420	n/a
560	Church	1000 Sq. Ft.	\$770	\$2,402
565	Day Care Center	1000 Sq. Ft.	\$3,701	\$13,076
575	Fire and Rescue Station	1000 Sq. Ft.	n/a	\$2,364
Medical				
610	Hospital	1000 Sq. Ft.	\$1,076	n/a
650	Free-Standing Emergency Room	1000 Sq. Ft.	n/a	\$7,472
Office				
710	General Office Building	1000 Sq. Ft.	\$1,741	\$5,642
720	Medical-Dental Office Building	1000 Sq. Ft.	\$4,279	\$16,965
770	Business Park	1000 Sq. Ft.	n/a	\$2,059

	Land Use Type	Development Unit	Current Fee per Development Unit	New Calculated Maximum Fee per Development Unit	Proposed Fee per Development Unit Based on Council Direction
Retail/Commercial					
820	Shopping Center/Gen Retail (<100,000 sf)	1000 Sq. Ft.	\$4,471	\$10,446	\$0**
820	Shopping Center/Gen Retail (<500,000 sf)	1000 Sq. Ft.	\$3,229	\$10,446	\$0**
820	Shopping Center/Gen Retail (<1 million sf)	1000 Sq. Ft.	\$2,695	\$10,446	\$0**
820	Shopping Center/Gen Retail (1 million sf+)	1000 Sq. Ft.	\$2,398	\$10,446	\$0**
850	Supermarket	1000 Sq. Ft.	n/a	\$29,011	\$0**
862	Building Materials/Hardware/Nursery	1000 Sq. Ft.	\$3,771	\$6,663	\$0**
863	Electronics Superstore	1000 Sq.Ft.	n/a	n/a	\$0**
872	Bed and Linen Superstore	1000 Sq.Ft.	n/a	n/a	\$0**
876	Apparel Store	1000 Sq.Ft.	n/a	n/a	\$0**
879	Arts and Crafts Store	1000 Sq.Ft.	n/a	n/a	\$0**
881	Pharmacy w/ drive thru window	1000 Sq. Ft.	n/a	\$25,733	\$0**
882	Marijuana Dispensary	1000 Sq. Ft.	n/a	\$27,296	\$27,296
841	Auto Sales/Repair	1000 Sq. Ft.	\$1,636	n/a	n/a
912	Bank	1000 Sq. Ft.	\$5,250	\$32,595	\$16,298*
960	Convenience Store	1000 Sq. Ft.	\$4,725	\$74,421	\$37,360.50*
857	Discount Store	1000 Sq. Ft.	\$2,231	n/a	\$0**
890	Furniture Store	1000 Sq. Ft.	\$420	n/a	\$0**
444/445	Movie Theater	1000 Sq. Ft.	\$3,553	n/a	\$0**
934	Fast-Food Restaurant with Drive Thru	1000 Sq. Ft.	\$4,909	\$40,067	\$20,034*
932	High Turnover (Sit Down) Restaurant	1000 Sq. Ft.	\$3,325	\$27,296	\$0**
930	Fast Casual Restaurant	1000 Sq. Ft.	n/a	\$37,055	\$0**
931	Quality Restaurant	1000 Sq. Ft.	n/a	n/a	\$0**
937	Coffee/Donut Shop w/ drive thru	1000 Sq. Ft.	n/a	\$11,704	\$5,582*
940	Bread/Donut/Bagel w/ drive thru	1000 Sq. Ft.	n/a	\$10,255	\$5,127.50*
943	Automobile Parts & Service Center	1000 Sq. Ft.	n/a	\$6,328	\$3,164*
949	Car Wash & Detail Center	1000 Sq. Ft.	n/a	\$22,683	\$11,341.50*
971	Brewery Tap Room	1000 Sq. Ft.	n/a	n/a	\$0**

The Core City road impact fee schedule shall be calculated as shown on the table below.

Land Use Type		Development Unit	Current Fee per Development Unit	New Calculated Maximum Fee per Development Unit	Proposed Fee per Development Unit Based on Council Direction
Industrial ⁽¹⁾					
110	General Light Industrial	1000 Sq. Ft.	\$1,146	\$1,899	\$1,899
130	Industrial Park	1000 Sq. Ft.	n/a	\$1,187	\$1,187
150	Warehouse	1000 Sq. Ft.	\$595	\$593	\$593
151	Mini-Warehouse	1000 Sq. Ft.	\$306	n/a	n/a
030	Transportation Terminal	Per 1 acre	\$18,468	n/a	n/a
Residential					
210	Single-Family Detached Housing	Dwelling Units	\$1,181	\$2,670	\$2,670
220	Multifamily Housing (low-rise)	Dwelling Units	\$726	\$1,543	\$1,543
221	Multifamily Housing (Mid-Rise)	Dwelling Units	n/a	\$1,187	\$1,187
240	Mobile Home Park	Per site	\$656	n/a	n/a
265	Lodging Establishment, including extended stay	Per room	\$674	n/a	n/a
Lodging					
310	Hotel	Rooms	\$674	\$1,602	\$0**
311	All Suites Hotel	Rooms	n/a	n/a	\$0**
312	Business Hotel	Rooms	n/a	n/a	\$0**
330	Resort Hotel	Rooms	n/a	n/a	\$0**
Recreational					
495	Recreational Community Center	1000 Sq. Ft.	n/a	\$6,290	\$6,290
431	Miniature Golf Course	1000 Sq.Ft.	n/a	n/a	\$0**
436	Trampoline Park	1000 Sq.Ft.	n/a	n/a	\$0**
437	Bowling Alley	1000 Sq.Ft.	n/a	n/a	\$0**
444/445	Movie Theater	1000 Sq.Ft.	n/a	n/a	\$0**
480	Amusement Park	1000 Sq.Ft.	n/a	n/a	\$0**
482	Water Slide Park	1000 Sq.Ft.	n/a	n/a	\$0**
Institutional					
520	Elementary School	1000 Sq. Ft.	\$656	\$2,789	\$2,789
522	Middle School/Junior High School	1000 Sq. Ft.	\$656	\$2,433	\$2,433
530	High School	1000 Sq. Ft	\$656	\$1,958	\$1,958
620	Nursing Home/Assisted Living	1000 Sq. Ft.	\$420	n/a	n/a
560	Church	1000 Sq. Ft.	\$770	\$1,306	\$1,306
565	Day Care Center	1000 Sq. Ft.	\$3,701	\$7,240	\$7,240
575	Fire and Rescue Station	1000 Sq. Ft.	n/a	\$1,306	\$1,306
Medical					
610	Hospital	1000 Sq. Ft.	\$1,076	n/a	\$0**
650	Free-Standing Emergency Room	1000 Sq. Ft.	n/a	\$4,095	\$0**
Office					
710	General Office Building	1000 Sq. Ft.	\$1,741	\$3,145	\$0**
720	Medical-Dental Office Building	1000 Sq. Ft.	\$4,279	\$9,376	\$0**
770	Business Park	1000 Sq. Ft.	n/a	\$1,127	\$0**

	Land Use Type	Development Unit	Current Fee per Development Unit	New Calculated Maximum Fee per Development Unit	Proposed Fee per Development Unit Based on Council Direction
Retail/Commercial					
820	Shopping Center/Gen Retail (<100,000 sf)	1000 Sq. Ft.	\$4,471	\$5,934	\$0**
820	Shopping Center/Gen Retail (<500,000 sf)	1000 Sq. Ft.	\$3,229	\$5,934	\$0**
820	Shopping Center/Gen Retail (<1 million sf)	1000 Sq. Ft.	\$2,695	\$5,934	\$0**
820	Shopping Center/Gen Retail (1 million sf+)	1000 Sq. Ft.	\$2,398	\$5,934	\$0**
850	Supermarket	1000 Sq. Ft.	n/a	\$16,022	\$0**
862	Building Materials/Hardware/Nursery	1000 Sq. Ft.	\$3,771	\$3,679	\$0**
863	Electronics Superstore	1000 Sq.Ft.	n/a	n/a	\$0**
872	Bed and Linen Superstore	1000 Sq.Ft.	n/a	n/a	\$0**
876	Apparel Store	1000 Sq.Ft.	n/a	n/a	\$0**
879	Arts and Crafts Store	1000 Sq.Ft.	n/a	n/a	\$0**
881	Pharmacy w/ drive thru window	1000 Sq. Ft.	n/a	\$14,242	\$0**
882	Marijuana Dispensary	1000 Sq. Ft.	n/a	\$15,073	\$15,073
841	Auto Sales/Repair	1000 Sq. Ft.	\$1,636	n/a	n/a
912	Bank	1000 Sq. Ft.	\$5,250	\$18,040	\$9,020*
960	Convenience Store	1000 Sq. Ft.	\$4,725	\$41,361	\$20,681*
857	Discount Store	1000 Sq. Ft.	\$2,231	n/a	\$0**
890	Furniture Store	1000 Sq. Ft.	\$420	n/a	\$0**
444/445	Movie Theater	1000 Sq. Ft.	\$3,553	n/a	\$0**
934	Fast-Food Restaurant with Drive Thru	1000 Sq. Ft.	\$4,909	\$22,134	\$11,607*
932	High Turnover (Sit Down) Restaurant	1000 Sq. Ft.	\$3,325	\$15,132	\$0**
930	Fast Casual Restaurant	1000 Sq. Ft.	n/a	\$20,532	\$0**
931	Quality Restaurant	1000 Sq. Ft.	n/a	n/a	\$0**
937	Coffee/Donut Shop w/ drive thru	1000 Sq. Ft.	n/a	\$6,468	\$3,234*
940	Bread/Donut/Bagel w/ drive thru	1000 Sq. Ft.	n/a	\$5,697	\$2,849*
943	Automobile Parts & Service Center	1000 Sq. Ft.	n/a	\$3,501	\$1,751*
949	Car Wash & Detail Center	1000 Sq. Ft.	n/a	\$12,521	\$6,261*
971	Brewery Tap Room	1000 Sq. Ft.	n/a	n/a	\$0**

Table Notes:

(1) Land Uses with anticipated peak hour truck generation are based on Passenger Car Equivalents (PCE) using 1/2 of the truck percentage value defined in the Institute of Transportation Engineers Trip Generation Manual.

n/a – Category was not included in the study

*Proposed fee is 50% maximum calculated per previous City Council Direction

** Targeted use for recruitment by Economic Development per City Council Direction

Additionally, the table below illustrates the current fee being assessed, the maximum calculated fee, and the proposed fee for the Northern Range and Core City areas based on City Council input for the Drainage Impact Fee, which will also be shown in the updated *Directory of City Fees and Charges*:

Area	Basin	Current Impact Fee/Acre	Proposed Impact Fee/Remaining Developable Acre	Proposed Impact Fee/SF ¹
Basin Specific	Henderson/ DFA 0053	\$3,055	\$30,486	\$0.70
	Second Creek	\$1,700	\$32,027	\$0.74
	Third Creek	\$1,445	\$9,217	\$0.21
	First Creek	N/A	\$67,448	\$1.55
	Irondale	N/A	\$54,309	\$1.25

Notes:

- 1) The impact fee rate is per square foot of new impervious area found within a particular drainage basin. The applicable fee amount per square foot of new impervious area shall be multiplied by the square footage of impervious area to determine the total drainage impact fee to be assessed.
- 2) Fee Adjustment for Commercial Districts. The applicable drainage impact fee shall be half of the calculated fee required by this Section for new commercial developments in the C-1, C-2, and C-3 districts. The remainder of the costs shall be borne by the City.
- 3) Fee Adjustment for Preferred Economic Development - The following Land Use types are exempt from drainage fees

Land Use Type		Development Unit	Fee per Development Unit
Lodging			
310	Hotel	Rooms	\$0
311	All Suites Hotel	Rooms	\$0
312	Business Hotel	Rooms	\$0
330	Resort Hotel	Rooms	\$0
Recreational			
431	Miniature Golf Course	1000 Sq.Ft.	\$0
436	Trampoline Park	1000 Sq.Ft.	\$0
437	Bowling Alley	1000 Sq.Ft.	\$0
444/445	Movie Theater	1000 Sq.Ft.	\$0
480	Amusement Park	1000 Sq.Ft.	\$0
482	Water Slide Park	1000 Sq.Ft.	\$0

	Land Use Type	Development Unit	Fee per Development Unit
Medical			
610	Hospital	1000 Sq.Ft.	\$0
650	Free-Standing Emergency Room	1000 Sq. Ft.	\$0
Office			
710	General Office Building	1000 Sq. Ft.	\$0
720	Medical-Dental Office Building	1000 Sq. Ft.	\$0
Retail			
820	Shopping Center	1000 Sq.Ft.	\$0
850	Supermarket	1000 Sq.Ft.	\$0
862	Home Improvement Superstore	1000 Sq.Ft.	\$0
863	Electronics Superstore	1000 Sq.Ft.	\$0
872	Bed and Linen Superstore	1000 Sq.Ft.	\$0
876	Apparel Store	1000 Sq.Ft.	\$0
879	Arts and Crafts Store	1000 Sq.Ft.	\$0
890	Furniture Store	1000 Sq.Ft.	\$0
Services			
930	Fast Casual Restaurant	1000 Sq. Ft.	\$0
931	Quality Restaurant	1000 Sq. Ft.	\$0
932	High Turnover (Sit Down) Restaurant	1000 Sq. Ft.	\$0
971	Brewery Tap Room	1000 Sq. Ft.	\$0

The updated *Directory of City Fees and Charges* will take effect on May 1, 2023.

Staff Responsible (Department Head): Joe Wilson, Director of Public Works

Staff Presenting: Shawn Poe, PE, CFM, City Engineer
Chris Hodyl, Development Review Manager
Joe Wilson, Public Works Director

Financial Impact: Collecting road impact fees from the development community is an important mechanism for cities to pay for a portion or all of future arterial roadway improvements required due to the impact of future development.

Funding Source: N/A

Staff Recommendation: Staff Recommends the City Council Approve A Resolution Amending and Adopting a Revised Directory of City Fees and Charges, Specifically Modifying Road Impact Fees and Drainage Impact Fees.

Suggested Motion: Motion to Approve A Resolution Amending and Adopting a Revised Directory of City Fees and Charges, Specifically Modifying Road Impact Fees and Drainage Impact Fees.