

City of Hutto, Texas

IMPACT FEES ORDINANCE

ORDINANCE NO. O-2021-014

AN ORDINANCE OF THE CITY OF HUTTO, TEXAS, AMENDING THE CITY OF HUTTO TRANSPORTATION IMPACT FEE ORDINANCE NO. O-18-07-19-9A, EXHIBIT B, SCHEDULE 2, TRANSPORTATION IMPACT FEE COLLECTION RATE PER SERVICE UNIT; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE & MEETING.

WHEREAS, the City of Hutto, Texas (the “City”) is a home-rule city possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of the Texas Local Government Code and its Home Rule Charter; and

WHEREAS, the City established transportation impact fees to be imposed within its corporate limits and within its extraterritorial jurisdiction by Ordinance No. O-18-07-19-9A (the “Transportation Impact Fee Ordinance”) in compliance with Chapter 395 of the Texas Local Government Code; and

WHEREAS, the City Council finds that the provisions governing and setting forth the transportation impact fees to be assessed and collected established in the Transportation Impact Fee Ordinance should be amended; and

WHEREAS, the City Council finds that the City has complied with Chapter 395 of the Texas Local Government Code in the amendment of the land use assumptions, capital improvements plans, and impact fees; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of the City of Hutto to amend Exhibit B Schedule 2, the Transportation Impact Fee Collection Rate Per Service Unit of the Transportation Impact Fee Ordinance, to assure the availability of adequate transportation facilities and services in order to serve new development consistent with the policies set forth in the City’s comprehensive plan.

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

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as

if expressly set forth herein.

2. ENACTMENT

Exhibit B, Schedule 2, the Transportation Impact Fee Collection Rate Per Service Unit of the Transportation Impact Fee Ordinance No. O-18-07-19-9A is hereby amended to read in accordance with *Attachment "A"* which is attached hereto and incorporated into this Ordinance and the City Code for all intents and purposes. Underlined and italicized text shall be added, and struck-through and bracketed text shall be deleted as indicated in *Attachment "A"*.

3. REPEALER

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage.

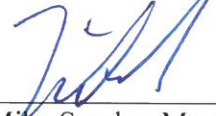
7. PROPER NOTICE & MEETING

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

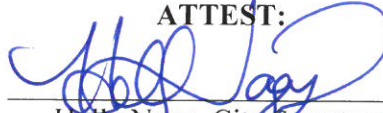
PASSED & APPROVED this, the 15 day of April, 2021, by a vote of 6 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Hutto, Texas.

By motion duly made, seconded and passed with an affirmative vote of all the Councilmembers present, the requirement for reading this ordinance on two separate dates was dispensed with.

CITY OF HUTTO:

by: 
Mike Snyder, Mayor

ATTEST:


Holly Nagy, City Secretary



ATTACHMENT "A"

Ordinance O-18-07-19-9A

EXHIBIT B

SCHEDULE 2

TRANSPORTATION IMPACT FEE COLLECTION RATE PER SERVICE UNIT

Transportation Impact Fee	Service Unit
[\$1,960.78] <i>Residential Land Use - \$784.31</i>	Vehicle Mile
<i>Non-residential Land Use - \$400</i>	<i>Vehicle Mile</i>