

**CITY OF PILOT POINT
ORDINANCE NO. 446-13-2021**

AN ORDINANCE OF THE CITY OF PILOT POINT, TEXAS, REPEALING ARTICLE 10.03 IMPACT FEES; ADOPTING UPDATED LAND USE ASSUMPTIONS; AMENDING THE PILOT POINT CODE OF ORDINANCES, CHAPTER 13 (UTILITIES), TO ADD ARTICLE 13.08 IMPACT FEES; TO ADOPT LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLANS FOR WATER, WASTEWATER AND ROADWAY FACILITIES; ADOPTING A LAND USE EQUIVALENCY TABLE; ADOPTING NEW MAXIMUM IMPACT FEES AND IMPACT FEES TO BE COLLECTED; PROVIDING FOR CONFLICTS; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 395, Texas Local Government Code, provides procedures for updating land use assumptions, capital improvements plans and impact fees, including procedures for determining that no update is required; and

WHEREAS, the City of Pilot Point has appointed a Capital Improvements Advisory Committee to advise the City Council concerning the adoption of land use assumptions, impact fee capital improvements plans and impact fees for water and wastewater facilities and for roadway facilities; and

WHEREAS, notice has been published, public hearings held and the written recommendations of the Capital Improvements Advisory Committee received concerning revised land use assumptions and impact fee capital improvements plans for water and wastewater facilities and for roadway facilities, as prepared by a qualified professional engineer; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of the City to adopt revised land use assumptions, impact fee capital improvements plans, and impact fees for water, wastewater and roadway facilities; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PILOT POINT, TEXAS:

SECTION 1. Recitals. The recitals set forth above are incorporated as if fully set forth herein.

SECTION 2. Repeal. Article 10.03 of the Pilot Point Code of Ordinances is hereby repealed in its entirety.

SECTION 3. Land Use Assumptions and Capital Improvement Plans

The Land Use Assumptions, Equivalency Tables and Capital Improvement Plans related to roadway, water and wastewater impact fees for the City of Pilot Point prepared by Kimley-Horn

and Associates, Inc. and presented to the City Council on May 13, 2021, are hereby adopted. A copy thereof shall be maintained in the City Secretary's office and is incorporated herein for all purposes.

SECTION 4. Chapter 13 (Utilities), shall be and is hereby amended to add Article 13.08 Impact Fees, which shall read in its entirety as follows:

ARTICLE 13.08 IMPACT FEES

DIVISION 1. – GENERALLY

Section 13.08.001 Purpose.

The provisions contained herein are intended to assure the provision of adequate public facilities including roadway, water and wastewater facilities to serve new development in the city's service area by requiring said development to pay its pro rata share of the costs of improvements necessitated by and attributable to such new development.

DIVISION 2. – IMPACT FEES

Section 13.08.002 Authority.

This article is adopted pursuant to the general legislative and governmental authority of the city as provided by the Texas Constitution and the general laws of the State of Texas, including, but not limited to, TEXAS LOCAL GOVERNMENT CODE Ch. 395. This article shall not be construed to limit the power of the city to utilize other methods authorized under state law or pursuant to other city powers to accomplish the purposes set forth herein, either in substitution or in conjunction with this article. Guidelines may be developed by resolution or otherwise to implement and administer this article.

Section 13.08.003 Definitions, in this article.

(a) *"Assessment"* means the determination of and the amount of the impact fee per service unit and the maximum amount per service unit that can be imposed on new development pursuant to this division.

(b) *"Capital improvement"* means any of the following facilities that have a life expectancy of three or more years, and are owned and/or operated by or on behalf of the city:

- (1) Water supply, treatment and distribution facilities; wastewater collection and treatment facilities; and stormwater, drainage, and flood control facilities; whether or not they are located within the service area; and
- (2) Roadway facilities.

- (c) *"Capital improvement plan"* means a plan required by TEXAS LOCAL GOVERNMENT CODE Ch. 395, that identifies capital improvements or facility expansions for which impact fees may be assessed.
- (d) *"Chapter 395"* means TEXAS LOCAL GOVERNMENT CODE Ch. 395, as amended.
- (e) *"City"* means the City of Pilot Point, Texas.
- (f) *"City council"* means the City Council of the City of Pilot Point, Texas.
- (g) *"Credit"* means the amount of the reduction of an impact fee or fees, payments or charges for the approved construction or provision of the same type of capital improvements for which the fee has been assessed.
- (h) *"Facilities 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.
- (i) *"Final plat approval"* or *"approval of a final plat"* means the point at which the applicant has complied with all conditions of approval and the plat has been released for filing with the County Clerk of the county where the land is located.
- (j) *"Impact fee"* or *"impact fees"* means a fee, charge or assessment imposed by the city as set forth in this division against new development in order to fund or recoup the costs of capital improvements or facilities expansions necessitated by and attributable to such new development, including, but not limited to, 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:
- (1) Dedication of land for public parks or payment(s) in lieu thereof to serve park needs;
 - (2) Dedication of rights-of-way or easements or construction of 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;
 - (3) 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
 - (4) Other pro rata fees for reimbursement of water or sewer mains or lines extended by the city.
- (k) *"Land use assumptions"* means 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 ten-year period and adopted by the city, as may be amended from time to time, upon which the capital improvements plan is based.

- (l) *"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.
- (m) *"Off-site"* means located entirely on land, which is not included within the bounds of the plat or project being considered for impact fee assessment.
- (n) *"Plat"* means a final plat as described in the city's subdivision regulations. Plat includes replat.
- (o) *"Platted"* means platted in accordance with the applicable subdivision regulations of the city.
- (p) *"Roadway facilities"* means arterial or collector streets or roads that have been designated on an officially adopted roadway plan of the city, together with all necessary appurtenances. The term includes the city'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. The term also includes, but is not limited to, interest in land, traffic lanes, intersection improvements, traffic control devices, and turn lanes associated with the roadway or street lighting.
- (q) *"Service area"* means the area within the city's corporate boundary and its extraterritorial jurisdiction to be served by the capital improvements or facilities expansions specified in the capital improvements plan, except for roadway facilities and stormwater, drainage, and flood control facilities. For roadway facilities, "service area" means the area only within the city's corporate boundaries to be served as specified in the capital improvements plan. For stormwater, drainage, and flood control facilities, the "service area" means the area within the city's corporate boundaries or its extraterritorial jurisdiction but shall not exceed the area actually served by the stormwater, drainage, and flood control facilities designated in the capital improvements plan.
- (r) *"Service unit"* means the standardized measure of consumption, use, generation or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering and/or planning standards, as indicated on the Impact Fee Studies for Water, Wastewater and Roadways, which are maintained in the office of the City Secretary and Development Services as may be amended from time to time.
- (s) *"Site-related facility"* means an improvement or facility which is for the primary use or benefit of a new development and/or which is for the primary purpose of safe and adequate provision of roadway, water or wastewater facilities to serve new development, and which is not included in the capital improvements plan and for which the developer or property owner is solely responsible under subdivision or other applicable regulations. Site-related facility may include improvements located off-site, within, or on the perimeter of the new development site.
- (t) *"Utility connection"* means authorization to install a water meter for connecting a new development to the city's water or wastewater system.

(u) *"Wastewater facility"* means an existing facility or improvement for providing sanitary sewer service, collection and treatment including, but not limited to, land or easements, treatment facilities, lift stations, collection lines, or interceptor mains. Wastewater facilities exclude site-related facilities constructed by developers.

(v) *"Water facility"* means an existing facility or improvement for providing water supply, treatment and distribution service, including, but not limited to, land or easements, water supply, water treatment facilities, water supply facilities, water storage facilities, or water distribution lines. Water facility excludes site-related facilities constructed by developers.

(w) *"Water meter"* means a device owned by the city for measuring the flow of water to a service unit(s), whether for domestic or irrigation purposes.

Section 13.08.004 Incorporation of Land Use Assumptions and Capital Improvements Plan.

The Land Use Assumptions and Capital Improvements Plan identifying Capital Improvements or Facility Expansions pursuant to which Impact Fees may be assessed, and contained within the Water, Wastewater and Roadway Impact Fee Studies dated April 21, 2021, as considered and adopted by the City Council is incorporated herein by reference for all purposes.

Section 13.08.005 State Law.

TEXAS LOCAL GOVERNMENT CODE Ch. 395 supplements this article to the extent that its provisions may be applicable hereto and, to such extent, its provisions are incorporated herein by reference.

DIVISION 3. –IMPACT FEES ADOPTED

Section 13.08.006 Impact Fees for Water, Wastewater and Roadways.

The Maximum Impact Fee for water, wastewater and roadways represents 50 percent of the total projected cost of implementing the capital improvements plan.

(a) A Water Impact Fee shall be assessed and charged against New Development in the Service Area as set forth below.

<i>Meter Size (Based on Water Meter)</i>	<i>Maximum Impact Fee</i>	<i>Collection Rate</i>
3/4"	\$2,228	100%
1"	\$3,721	100%
1-1/2"	\$7,419	100%
2"	\$11,875	100%
3"	\$51,979	100%
4"	\$96,539	100%
6"	\$207,939	100%

(b) A Wastewater Impact Fee shall be assessed and charged against New Development in the Service Area as set forth below.

<i>Meter Size (Based on Water Meter)</i>	<i>Maximum Impact Fee</i>	<i>Collection Rate</i>
3/4"	\$3,899	100%
1"	\$6,511	100%
1-1/2"	\$12,984	100%
2"	\$20,782	100%
3"	\$90,964	100%
4"	\$168,944	100%
6"	\$363,894	100%

(c) A Roadway Impact Fee shall be assessed and charged against New Development in the Service Area as set forth below.

<i>Service Area</i>	<i>Maximum Fee Per Service Unit (per Vehicle-Mile)</i>	<i>Collection Rate Per Service Unit (per Vehicle-Mile)</i>
1	\$1,963	75%

Section 13.08.007 Applicability.

The provisions of this division regarding water and wastewater impact fees apply to all new development within the corporate boundaries of the city and its extraterritorial jurisdiction. The provisions of this division regarding roadway impact fees apply to all new development within the corporate boundaries of the city.

Section 13.08.008 Basis.

The impact fees for water, wastewater, and roadways shall be assessed on the basis of service unit. The number of service units shall be determined at the time of assessment as hereinafter set out.

Section 13.08.009 Reserved.

DIVISON 4. – IMPACT FEE REQUIRED

Section 13.08.010 Impact Fee Required.

(a) *Impact fee as a condition of development approval/permit issuance.* No final plat for new development shall be released for filing with the county, or in the cases within the city's extraterritorial jurisdiction for which no plat is submitted to the city, no application for a utility connection shall be approved without assessment of an impact fee pursuant to this division. No building permit shall be issued, or, in the cases within the city's extraterritorial

jurisdiction for which no plat is to be submitted to the city, no utility connection shall be made for new development until the property owner or developer has paid the impact fee imposed and calculated herein.

- (b) *Exceptions to requirement of impact fee.* For new development which is platted prior to the adoption of this article, impact fees shall not be collected for roadways, water or wastewater service on any service for which a valid building permit is issued within one year after date of adoption of this article.
- (c) *Modification of required impact fee.* The City Council may modify, at its sole discretion, the impact fees to be assessed against new development by entering in a written development agreement with a property owner and/or developer.

Section 13.08.011 Assessment and Collection of Impact Fees.

- (a) *Assessment.* The assessment of the impact fee for any new development shall be determined at the time of final plat approval. For land on which new development occurs or is proposed to occur without platting, the city may assess the impact fees at any time during the development and building process.
- (b) *Collection.* The impact fees shall be collected at the time of application for a building permit, or in the cases within the city's extraterritorial jurisdiction for which no plat is submitted to the city, at the time of application for utility connection, unless an agreement between the developer and the city has been executed providing for a different time of payment.
- (c) *Additional impact fees.* Additional impact fees or increases in fees may not be assessed against a tract unless the number of service units to be developed on such tract increases. In the event of an increase in the number of service units, the impact fees to be imposed are limited to the amount attributable to the additional service units and shall be collected at the time of issuance of a new building permit, or for an area in the city's extraterritorial jurisdiction for which a final plat was not required to be submitted to the city, prior to or at the time of enlargement of the utility connection.
- (d) *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 city commits to commence construction within two years and to have the services available within a reasonable period of time not exceeding five years;
 - (2) An owner voluntarily requests that the city reserve capacity to serve future development, and the city and the owner enter into a written agreement.

Section 13.08.013 Computation of Impact Fees.

- (a) *Method of calculation.* At the time of final plat approval, or the request for a utility connection for an area in the city's extraterritorial jurisdiction for which a final plat was not

submitted to the city, for all new developments, the city shall compute impact fees due for the new development in the following manner:

- (1) The amount of each type of impact fee due (water, wastewater and/or roadway) shall be determined by multiplying the number of each type of service unit generated by the new development by the impact fee amount due for each type of service unit and for roadways using the Land Use/Vehicle Mile Equivalency Table contained in **Exhibit A**, attached hereto and incorporated herein.
- (2) The amount of each impact fee due shall be reduced by any allowable credits for that category of capital improvements in the manner provided by this division.

(b) *Replatting.* Replatting shall not require recalculation of impact fees unless the number of service units is increased. If a proposed development increases the number of service units, the impact fees shall be recalculated as provided by this article.

Section 13.08.014 Credits Against Impact Fees.

(a) *Credits for conditions of development.* If the city requires, as a condition of new development approval, or otherwise enters into an agreement with a developer or owner, to have the developer or owner construct, fund, or otherwise contribute toward the cost of a capital improvement or facility expansion included in the capital improvements plan, the city shall provide for reimbursement in the form of credits against impact fees that would otherwise be due on the new development from the same category (water, wastewater or roadway) of impact fees assessed on the new development. Credits for roadway impact fees shall include any construction of, contributions to, or dedications of off-site roadway facilities agreed to or required by the city as a condition of development approval.

(b) *Credit limitations.* All credits against impact fees shall be subject to the following limitations and shall be granted based on this division and any additional administrative guidelines that may be adopted by the city.

- (1) No credit shall be given for the dedication or construction of site-related facilities.
- (2) No credit shall exceed an amount equal to the assessed impact fee.
- (3) If a credit applicable to a final plat has not been exhausted within ten years from the acquisition of the first building permit issued or, in the cases within the city's extraterritorial jurisdiction for which no plat is submitted to the city, utility connection made after the effective date of the adoption of this division, or within such period as may otherwise be designated by contract between the city and the developer or owner, such credit shall lapse.
- (4) In no event will the city reimburse the property owner or developer for a credit when no impact fees for the new development can be collected pursuant to city ordinance or for any amount exceeding the total impact fees due for the new development for the category of capital improvement, unless otherwise agreed to by the city.

(c) *Credits applied.* The available credit associated with new development shall be applied against an impact fee in the following manner:

- (1) For single-family residential lots in a new development consisting only of single-family residential development, such credit shall be prorated equally among such lots, to be applied at the time of application of a building permit for each lot, against impact fees to be collected at the time the building permit is issued.
- (2) For all other types of new development, the credit applicable to the new development shall be applied to the impact fee due at the time of application for a building permit or as otherwise agreed by the city.
- (3) At its sole discretion, the city may authorize alternative credit agreements upon written agreement with the property owner or developer.

Section 13.08.015 Expenditure and accounting for impact fees.

(a) *Establishment of accounts.* The city shall establish an account to which interest is allocated for each category of capital improvement or facility expansion within the service area for which an impact fee is imposed pursuant to this division. Each impact fee collected within the service area shall be deposited in such account.

(b) *Interest considered funds.* Interest earned on the impact fee account shall be considered funds of the account and shall be used solely for the purposes authorized in this article and TEXAS LOCAL GOVERNMENT CODE Ch. 395.

(c) *Controls.* The city shall establish adequate financial and accounting controls to ensure that impact fees disbursed from the account are utilized solely for the purposes authorized by this article and Chapter 395.

(d) *Records.* The city shall maintain and keep financial records for impact fees, which shall show the source and disbursement of all fees collected or expended within each service area.

(e) *Use of proceeds.* The impact fees collected pursuant to this division may be used to finance or to recoup the costs of any capital improvements or facilities expansions identified in the capital improvements plan for the service area, including but not limited to, the construction contract price, surveying and engineering fees, land acquisition costs (including land purchases, court awards and costs, attorney's fees, and expert witness fees), and the fees actually paid or contracted to be paid to an independent qualified engineer or other consultants preparing or updating the capital improvements plan who is not an employee of the city. Impact fees may also be used to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by or on behalf of the city to finance such capital improvements or facilities expansions.

(f) *Prohibition on use of proceeds.* Impact fees collected pursuant to this division shall not be used to pay for any of the following expenses:

- (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 facilities 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, expanding or replacing existing capital improvements to provide better service to existing development; provided, however, that impact fees may be used to pay the costs of upgrading, expanding or replacing existing capital improvements in order to meet the need for new capital improvements generated by new development; or
- (5) Administrative and operating costs of the city.

Section 13.08.016 Refunds.

(a) *Availability of refunds.* On the written request of an owner of property on which an impact fee has been paid, the city will refund the impact fee if: (a) the impact fee has not been expended within ten years after payment; or (b) existing facilities are available and service is denied; or (c) the city has, after collecting the fee when service was not available, failed to commence construction of facilities required for service within two years of payment of the impact fee, or if such construction is not completed within a reasonable period of time considering the type of capital improvement or facility expansion to be constructed, but in no event later than five years from the date of the impact fee payment.

(b) *Persons entitled to refunds.* All refunds for paid impact fees shall be made to the record owner of the property at the time the refund is paid. However, if impact fees were paid by another governmental entity, then the refund shall be made to the governmental entity.

(c) *Application for refunds.* The application for a refund pursuant to this division shall be submitted to the city within 60 days after the expiration of the ten-year period for expenditure of the fee. An impact fee shall be considered expended on a first-in, first-out basis.

(d) *Refunds not available for impact fees expended.* An impact fee collected pursuant to this division shall also be deemed expended if the total expenditures for capital improvements or facilities within the service area within ten years following the date of payment exceed the total fees collected within the service area for such improvements or expansions during such period.

(e) *Calculation of refunds.* If a refund is due pursuant to this section, the city shall pro-rate the same by dividing the difference between the amount of expenditures and the amount of the fees collected by the total number of service units assumed within the service area for the period to determine the refund due per service unit. The total refund payable to any such property owner shall be calculated by multiplying the refund due per service unit by the number of service units for the property for which the fee was paid, and shall include interest upon that amount, to be calculated from the date of payment to the date of the refund at the statutory rate as set forth in the TEXAS FINANCE CODE § 302.002, or its successor statute.

(f) *Refunds upon completion of capital improvements and facility expansions.* Upon completion of all the capital improvements or facilities expansions identified in the capital improvements plan, the city shall recalculate the maximum impact fee per service unit using the actual costs of the capital improvements or expansions. If the maximum impact fee per service unit based on actual

cost is less than the impact fee per service unit paid, the city shall refund the difference, if such difference exceeds the impact fee paid by more than ten percent. The refund to the record owner shall be calculated by multiplying such difference by the number of service units for the development for which the fee was paid, and shall include interest upon that amount, to be calculated from the date of payment to the date of the refund at the statutory rate as set forth in the TEXAS FINANCE CODE § 302.002, or its successor statute.

Section 13.08.017 Updates to Plan and Revision of Fees.

(a) *Statutorily required updates to the capital improvements plan.* The city shall update its land use assumptions and capital improvements plan at least every five years, commencing from the date of adoption of such plans, and shall recalculate the impact fees based thereon in accordance with the procedures set forth in TEXAS LOCAL GOVERNMENT CODE Ch. 395 or any successor statute(s).

(b) *Other periodic reviews.* The city may review its land use assumptions, capital improvements plan, and impact fees more frequently than provided in Section 9.1 to determine whether the land use assumptions and capital improvements plan should be updated and the impact fee recalculated accordingly, or whether any exhibits hereto should be changed.

(c) *Determination that no update is needed.* If, at the time an update is required pursuant to subsection (a) above, the city council determines that no change to the land use assumptions, capital improvements plan, or impact fee is needed, it may dispense with such an update by following the procedures set forth in TEXAS LOCAL GOVERNMENT CODE § 395.0575 or its successor statute.

Section 13.08.018 Miscellaneous Provisions.

(a) *Easement exclusive of fees.* If the granting of easements or rights-of-way is necessary to construction of a capital improvement, said easement shall be granted by the record owner of the land so affected, exclusive of and in addition to the payment of the impact fee, and at the time of payment of the impact fee, as a condition of service. If the construction of a capital improvement is undertaken by the city in any public right-of-way due to the lack of said easement, and a subsequent relocation of the improvement is required by any public agency, the record owner of the land shall bear all expense of said relocation.

(b) *Impact fees in addition to other fees.* The impact fees calculated in accordance with this division shall be charged in addition to all other fees set out by city ordinance or regulation including, but not limited to, building permit fees and tap fees, park land dedication requirements and payments in lieu, and dedication of easements and right-of-way.

(c) *Prohibition against transfer.* The payment of impact fees and credits earned under this division shall inure to the benefit of and remain with the land for which such impact fees were paid or credits earned, and may not be sold, assigned, conveyed or transferred for the benefit of any other land or property. No impact fee receipts, rights, benefits or credits arising under this division may be sold, assigned, transferred or conveyed except to a subsequent grantee or purchaser of the

land for which such fee was paid or credit earned. All rights or benefits arising from the payment of an impact fee or any credit shall automatically vest in the owner and each subsequent owner of the land for which the fee was paid or credit earned.

(d) *Administrative relief.* Any person who has paid an impact fee or an owner of land upon which an impact fee has been paid may petition the city council to determine any duty required by this article has not been performed within the time so prescribed. The petition shall be submitted to the city secretary in writing and shall state the nature of the unperformed duty and request that the duty be performed within 60 days of the request. If the city council determines that the duty is required pursuant to this article 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.

SECTION 5. Severability. The terms and provisions of this ordinance shall be deemed to be severable and if the validity of any section, subsection, sentence, clause or phrase of this ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause or phrase of this ordinance.

SECTION 6. Conflicts. This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances for the City of Pilot Point, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and Code hereby are superseded.

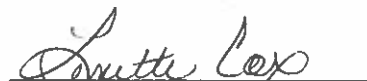
SECTION 7. Effective Date. This ordinance shall take effect on May 27, 2021.

PASSED AND APPROVED by the City Council, the City of Pilot Point, on this the 27th day May, 2021.




Shea Dane-Patterson, Mayor

ATTEST:



Lenette Cox, City Secretary

APPROVED AS TO FORM:



Brenda N. McDonald, City Attorney

EXHIBIT A

Land Use Category	ITE Land Use Code	Development Unit	Trip Gen Rate (PM)	Pass-by Rate	Pass-by Source	Trip Rate	Trip Length (mi)	Adj. For O-D	Trip Length (mi)	Max Trip Length (mi)	Vel-Mi Per Dev-Unit
PORT AND TERMINAL											
Truck Terminal	030	1,000 SF GFA	1.87			1.87	10.02	50%	5.01	5.01	9.37
Park-and-Ride	090	Parking Spaces	0.43			0.43	10.02	50%	5.01	5.01	2.15
INDUSTRIAL											
General Light Industrial	110	1,000 SF GFA	0.63			0.63	10.02	50%	5.01	5.01	3.16
Industrial Park	130	1,000 SF GFA	0.40			0.40	10.02	50%	5.01	5.01	2.00
Manufacturing	140	1,000 SF GFA	0.67			0.67	10.02	50%	5.01	5.01	3.36
Warehousing	150	1,000 SF GFA	0.19			0.19	10.02	50%	5.01	5.01	0.95
Mini-Warehouse	151	1,000 SF GFA	0.17			0.17	10.02	50%	5.01	5.01	0.85
Data Center	160	1,000 SF GFA	0.09			0.09	10.02	50%	5.01	5.01	0.45
RESIDENTIAL											
Single-Family Detached Housing	210	Dwelling Unit	0.99			0.99	9.79	50%	4.90	3.00	2.97
Multifamily Housing (Low-Rise)	220	Dwelling Unit	0.56			0.56	9.79	50%	4.90	3.00	1.68
Multifamily Housing (Mid-Rise)	221	Dwelling Unit	0.44			0.44	9.79	50%	4.90	3.00	1.32
Multifamily Housing (High-Rise)	222	Dwelling Unit	0.36			0.36	9.79	50%	4.90	3.00	1.08
Mobile Home Park / Manufactured Home	240	Dwelling Unit	0.46			0.46	9.79	50%	4.90	3.00	1.38
Senior Adult Housing-Detached	251	Dwelling Unit	0.30			0.30	9.79	50%	4.90	3.00	0.90
Senior Adult Housing-Attached	252	Dwelling Unit	0.26			0.26	9.79	50%	4.90	3.00	0.78
Assisted Living	254	Beds	0.26			0.26	9.79	50%	4.90	3.00	0.78
LODGING											
Hotel	310	Room	0.60			0.60	6.43	50%	3.22	3.00	1.80
Motel / Other Lodging Facilities	320	Room	0.38			0.38	6.43	50%	3.22	3.00	1.14
RECREATIONAL											
Golf Course	430	Hole	2.91			2.91	7.86	50%	3.93	3.00	8.73
Miniature Golf Course	431	Hole	0.33			0.33	7.86	50%	3.93	3.00	0.99
Golf Driving Range	432	Tee	1.25			1.25	7.86	50%	3.93	3.00	3.75
Bowling Alley	437	1,000 SF GFA	1.16			1.16	7.86	50%	3.93	3.00	3.48
Multiplex Movie Theater	445	Screens	13.73			13.73	15.77	50%	7.89	3.00	41.19
Ice Skating Rink	465	1,000 SF GFA	1.33			1.33	7.86	50%	3.93	3.00	3.99
Racquet / Tennis Club	491	Court	3.82			3.82	7.86	50%	3.93	3.00	11.46
Health/Fitness Club	492	1,000 SF GFA	3.45			3.45	7.86	50%	3.93	3.00	10.35
Recreational Community Center	495	1,000 SF GFA	2.31			2.31	7.86	50%	3.93	3.00	6.93
INSTITUTIONAL											
Primary/Middle School (1-8)	522	Students	0.17			0.17	3.49	50%	1.75	1.75	0.30
High School	530	Students	0.14			0.14	3.49	50%	1.75	1.75	0.25
Junior / Community College	540	Students	0.11			0.11	10.44	50%	5.22	3.00	0.33
University / College	550	Students	0.15			0.15	10.44	50%	5.22	3.00	0.45
Church	560	1,000 SF GFA	0.49			0.49	8.31	50%	4.16	3.00	1.47
Day Care Center	565	1,000 SF GFA	11.12	44%	B	6.23	3.49	50%	1.75	1.75	10.90
MEDICAL											
Hospital	610	1,000 SF GFA	0.97			0.97	9.85	50%	4.93	3.00	2.91
Nursing Home	620	Beds	0.22			0.22	9.85	50%	4.93	3.00	0.66
Clinic	630	1,000 SF GFA	3.28			3.28	9.85	50%	4.93	3.00	9.84
Animal Hospital/Veterinary Clinic	640	1,000 SF GFA	3.53	30%	B	2.47	9.85	50%	4.93	3.00	7.41
OFFICE											
General Office Building	710	1,000 SF GFA	1.15			1.15	14.65	50%	7.33	3.00	3.45
Corporate Headquarters Building	714	1,000 SF GFA	0.60			0.60	14.65	50%	7.33	3.00	1.80
Single Tenant Office Building	715	1,000 SF GFA	1.71			1.71	14.65	50%	7.33	3.00	5.13
Medical-Dental Office Building	720	1,000 SF GFA	3.46			3.46	9.85	50%	4.93	3.00	10.38
Office Park	750	1,000 SF GFA	1.07			1.07	14.65	50%	7.33	3.00	3.21

Key to Sources of Pass-by Rates:

A. ITE Trip Generation Handbook 10th Edition (September 2017)

B. Estimated by KIMLEY-HORN based on ITE rates for similar categories

C. ITE rate adjusted upward by KHA based on logical relationship to other categories

EXHIBIT A

Land Use Category	ITE Land Use Code	Development Unit	Trip Gen Rate (PM)	Pass-by Rate	Pass-by Source	Trip Rate	Trip Length (mi)	Adj. For O-D	Trip Length (mi)	Max Trip Length (mi)	Vol-MI Per Dev-Unit
COMMERCIAL											
Automobile Related											
New Car Sales	841	1,000 SF GFA	2.43	20%	B	1.94	5.60	50%	2.80	2.80	5.43
Automobile Parts Sales	843	1,000 SF GFA	4.91	43%	A	2.80	4.45	50%	2.23	2.23	6.24
Tire Store	848	1,000 SF GFA	3.98	28%	A	2.87	4.45	50%	2.23	2.23	6.40
Quick Lubrication Vehicle Shop	941	Servicing Positions	4.85	40%	B	2.91	4.45	50%	2.23	2.23	6.49
Automobile Care Center	942	1,000 SF GFA	3.11	40%	B	1.87	4.45	50%	2.23	2.23	4.17
Gasoline/Service Station	944	Vehicle Fueling Position	14.03	42%	A	8.14	1.20	50%	0.60	0.60	4.88
Gasoline/Service Station w/ Conv Market and Car Wash	945	Vehicle Fueling Position	13.99	56%	B	6.16	1.20	50%	0.60	0.60	3.70
Self-Service Car Wash	947	Stall	5.54	40%	B	3.32	1.20	50%	0.60	0.60	1.99
Dining											
Drinking Place	925	1,000 SF GFA	11.36			11.36	5.64	50%	2.82	2.82	32.04
Quality Restaurant	931	1,000 SF GFA	7.80	44%	A	4.37	5.64	50%	2.82	2.82	12.32
High Turnover (Sit-Down) Restaurant	932	1,000 SF GFA	9.77	43%	A	5.57	5.64	50%	2.82	2.82	15.71
Fast Food Restaurant without Drive-Thru Window	933	1,000 SF GFA	28.34	50%	B	14.17	5.64	50%	2.82	2.82	39.96
Fast Food Restaurant with Drive-Thru Window	934	1,000 SF GFA	32.67	50%	A	16.34	5.64	50%	2.82	2.82	46.08
Coffee/Donut Shop with Drive-Thru Window	937	1,000 SF GFA	43.38	70%	A	13.01	5.64	50%	2.82	2.82	36.69
Other Retail											
Free-Standing Store	815	1,000 SF GFA	4.83	30%	C	3.38	5.60	50%	2.80	2.80	9.46
Nursery (Garden Center)	817	1,000 SF GFA	6.94	30%	B	4.86	5.60	50%	2.80	2.80	13.61
Shopping Center	820	1,000 SF GLA	3.81	34%	A	2.51	5.60	50%	2.80	2.80	7.03
Supermarket	850	1,000 SF GFA	9.24	36%	A	5.91	5.60	50%	2.80	2.80	16.55
Home Improvement Superstore	862	1,000 SF GFA	2.33	48%	A	1.21	5.60	50%	2.80	2.80	3.39
Toy/Children's Superstore	864	1,000 SF GFA	5.00	30%	B	3.50	5.60	50%	2.80	2.80	9.80
Department Store	875	1,000 SF GFA	1.95	30%	B	1.37	5.60	50%	2.80	2.80	3.84
Pharmacy/Drugstore w/o Drive-Thru Window	880	1,000 SF GFA	8.51	53%	A	4.00	5.60	50%	2.80	2.80	11.20
Pharmacy/Drugstore w/ Drive-Thru Window	881	1,000 SF GFA	10.29	49%	A	5.25	5.60	50%	2.80	2.80	14.70
SERVICES											
Walk-In Bank	911	1,000 SF GFA	12.13	40%	B	7.28	4.45	50%	2.23	2.23	16.23
Drive-In Bank	912	Drive-In Lanes	27.15	35%	A	17.65	4.45	50%	2.23	2.23	39.36
Hair Salon	918	1,000 SF GLA	1.45	30%	B	1.02	6.41	50%	3.21	3.00	3.06

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EXHIBIT A

Land Use Category	ITE Land Use Code	Land Use Description
PORT AND TERMINAL		
Truck Terminal	030	Point of good transfer between trucks or between trucks and rail
Park and Ride	090	Area used for the transfer of people between private vehicles and buses, light rail, or carpooling.
INDUSTRIAL		
General Light Industrial	110	Emphasis on activities other than manufacturing; typically employing fewer than 500 workers
Industrial Park	130	Area containing a number of industries or related facilities
Manufacturing	140	Primary activity is the conversion of raw materials or parts into finished products
Warehousing	150	Devoted to storage of materials but may include office and maintenance areas
Mini-Warehouse	151	Facilities with a number of units rented to others for the storage of goods
Data Center	160	Free-standing warehouse type facility that is primarily used for off-site storage of computer systems
RESIDENTIAL		
Single-Family Detached Housing	210	Single-family detached homes on individual lots
Multifamily Housing (Low-Rise)	220	Dwelling units and one or two levels (floors) per building (Townhomes, Duplex, etc)
Multifamily Housing (Mid-Rise)	221	Dwelling units and between three and ten levels (floors) per building
Multifamily Housing (High-Rise)	222	Dwelling units and more than ten levels (floors) per building
Mobile Home Park / Manufactured Housing	240	Consist of manufactured homes that are sited and installed on permanent foundations
Senior Adult Housing-Detached	251	Consists of detached independent living developments that include amenities such as golf courses and swimming pools
Senior Adult Housing-Attached	252	Consists of attached independent living developments that include limited social or recreation services
Assisted Living	254	Residential settings that provide either routine general protective oversight or assistance with activities.
LODGING		
Hotel	310	Lodging facilities that typically have on-site restaurants, lounges, meeting and/or banquet rooms, or other retail shops and services
Motel / Other Lodging Facilities	320	Lodging facilities that may have small on-site restaurant or buffet area but little or no meeting space
RECREATIONAL		
Golf Course	430	May include municipal courses and private country clubs; may have driving ranges, pro shops, and restaurant/banquet facilities
Miniature Golf Course	431	One or more individual putting courses; category should not be used when part of a larger entertainment center (with batting cages, video game centers, etc)
Golf Driving Range	432	Facilities with driving tees for practice; may provide individual or group lessons; may have pro shop and/or refreshment facilities
Bowling Alley	437	Recreational facility that include bowling lanes
Multiplex Movie Theater	445	Movie theater with audience seating, minimum of ten screens, lobby, and refreshment area
Ice Skating Rink	465	Rinks for ice skating and related sports; may contain spectator areas and refreshment facilities
Racquet / Tennis Club	491	Indoor or outdoor facilities specifically designed for playing tennis
Health / Fitness Club	492	Privately owned facilities that primarily focus on individual fitness or training
Recreational Community Center	495	Public facilities that primarily focus on individual fitness or training
INSTITUTIONAL		
Primary / Middle School	522	Serves students prior to High School
High School	530	Serves students after Middle School
Junior / Community College	540	Two-year junior, community, or technical colleges
University / College	550	Four-year university or college that may or may not offer graduate programs
Church	560	Churches and houses of worship
Day Care Center	565	Generally includes facilities for care of pre-school aged children, generally includes classrooms, offices, eating areas, and playgrounds
MEDICAL		
Hospital	610	Medical and surgical facilities with overnight accommodations
Nursing Home	620	Rest and convalescent homes with residents who do little or no driving
Clinic	630	Facilities with limited diagnostic and outpatient care
Animal Hospital / Veterinary Clinic	640	Facility that specializes in the medical care and treatment of animals
OFFICE		
General Office Building	710	Office buildings which house multiple tenants
Corporate Headquarters Building	714	Office building housing corporate headquarters of a single company or organization
Single Tenant Office Building	715	Single tenant office buildings other than corporate headquarters
Medical/Dental Office	720	Multi-tenant building with offices for physicians and/or dentists
Office Park	750	Office buildings (typically low-rise) in a campus setting and served by a common roadway system

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EXHIBIT A

Land Use Category	ITE Land Use Code	Land Use Description
COMMERCIAL		
Automobile Related		
New Car Sales	841	New car dealerships, typically with automobile servicing and part sales
Automobile Parts Sales	843	Retail sale of auto parts but no on-site vehicle repair
Tire Store	848	Primary business is sales and installation of tires; usually do not have large storage or warehouse area
Quick Lubrication Vehicle Shop	941	Primary business is to perform oil changes and fluid/filter changes with other repair services not provided
Automobile Care Center	942	Automobile repair and servicing including stereo installations and upholstery
Gasoline / Service Station	944	Gasoline sales without convenience store or car wash; may include repair
Gasoline/Service Station w/ Conv Market	945	Gasoline sales with convenience store where the primary business is gasoline sales
Self-Service Car Wash	947	Has stalls for driver to park and wash the vehicle
Dining		
Drinking Place	925	Bar where alcoholic beverages and food are served
Sit Down Restaurant	931	Restaurants with turnover rates of one hour or longer; typically require reservations
High Turnover (Sit-Down) Restaurant	932	Restaurants with turnover rates less than one hour; typically includes moderately-priced chain restaurants
Fast Food Restaurant without Drive-Thru Window	933	High-turnover fast food restaurant for carry-out and eat-in customers, but without a drive-thru window
Fast Food Restaurant with Drive-Thru Window	934	High-turnover fast food restaurant for carry-out and eat-in customers with a drive-thru window
Coffee / Donut Shop with Drive-Thru Window	937	Coffee and Donut restaurants with drive-through windows, hold long store hours and have limited indoor seating
Other Retail		
Free-Standing Retail Store	815	Category includes free-standing stores with off-street parking; typically offer a variety of products and services with long store hours
Garden Center (Nursery)	817	Building with a yard of planting or landscape stock; may have office, storage, shipping or greenhouse facilities
Shopping Center	820	Integrated group of commercial establishments; planning, owned, and managed as a unit
Supermarket	850	Primary business is sale of groceries, food, and household cleaning items; may include photo, pharmacy, video rental, and/or ATM
Home Improvement Superstore	862	Warehouse-type facilities offering a large variety of products and services including lumber, tool, paint, lighting, and fixtures, among other items.
Toy/Children's Superstore	864	Businesses specializing in child-oriented merchandise
Department Store	875	Free-standing facility that specialize in the sale of a wide range of products
Pharmacy / Drugstore without Drive-Thru Window	880	Facilities that primarily sell prescription and non-prescription drugs without a drive-through window
Pharmacy / Drugstore with Drive-Thru Window	881	Facilities that primarily sell prescription and non-prescription drugs with a drive-through window
SERVICES		
Bank (Walk-In)	911	Bank without drive-thru lanes
Bank (Drive In)	912	Bank with drive-thru lanes
Hair Salon	918	Facilities that specialize in cosmetic and beauty services including hair cutting and styling

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