

ORDINANCE NO 2024-49

AN ORDINANCE UPDATING LAND USE ASSUMPTIONS AND THE CAPITAL IMPROVEMENTS PLAN FOR ROADWAY FACILITIES AND UPDATING ROADWAY IMPACT FEES FOR THE CITY OF LEAGUE CITY; PROVIDING FOR PUBLICATION, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Texas Local Government Code, Chapter 395 (“Chapter 395”), and its successors, authorizes home-rule cities to enact and impose impact fees on land within their corporate boundaries as charges and assessments against new development to generate revenue for funding and recouping the costs of new development; and

WHEREAS, on October 9, 2018, through Ordinance 2018-32, the City Council adopted the Land Use Assumption and Capital Improvement Plan for which a roadway capital recovery fee could be imposed; and

WHEREAS, on January 8, 2019, through Ordinance 2019-01, the City Council established Roadway Impact Fees; and

WHEREAS, on September 14, 2021, through Ordinance 2021-32, the City Council updated the Roadway Impact Fees; and

WHEREAS, Chapter 395 requires that the land use assumptions and the capital improvements plan, for which capital recovery fees are imposed, shall be reviewed, evaluated, and updated every five years; and

WHEREAS, as required by Chapter 395, League City’s Capital Recovery Fee Capital Improvements Advisory Committee (CIAC) has received and reviewed an updated study report (“2024 Roadway Capital Recovery Fee Updated Study”), attached as Exhibit A, which documents a methodological approach, development of land use assumptions and a roadway capital improvements plan, associated cost per service unit calculations based on needs necessitated by future 10-year growth, and a land use equivalency table for the derivation of Roadway Capital Recovery Fees for specific land uses in League City; and

WHEREAS, the CIAC recommends adoption of the 2024 Roadway Capital Recovery Fee Updated Study, which includes updated land use assumptions, an updated capital improvement plan and updated roadway impact fees; and

WHEREAS, the City has fully complied with Chapter 395, concerning the notice, adoption, promulgation and methodology necessary to adopt land use assumptions and a capital improvement plan establishing impact fees.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. The 2024 Roadway Capital Recovery Fee Updated Study, which includes updated land use assumptions, an updated capital improvement plan and updated roadway impact fees, attached and incorporated as Exhibit A, has been reviewed and evaluated, and the City Council finds that

the 2024 Roadway Capital Recovery Fee Updated Study should be adopted in its entirety, including its updated land use assumptions, updated capital improvement plan and updated roadway impact fees.

Section 3. All ordinances or parts of ordinances in force when the provisions of this ordinance become effective which are inconsistent or in conflict with the terms of provisions contained in the amended schedule of rates hereby enacted by this ordinance, are hereby repealed to the extent of any such conflict. All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City

Section 4. If any section, subsection, paragraph, sentence, clause, phrase or word in this ordinance, or application thereof to any person or circumstances held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council of the City of League City, Texas, hereby declares it would have enacted such remaining portions despite any such invalidity.

Section 5. It is hereby found and determined that the meeting at which this ordinance was passed was open to the public and that advance public notice of the time, place and purpose of said meeting was given as required by law.

Section 6. The Ordinance shall become effective immediately upon passage with the following implementation schedule:

- Developments that have the final plat recorded on or before March 31, 2025, shall be required to pay roadway capital recovery fees as previously calculated in Ordinance 2021-32
- Developments that have the final plat recorded on or after April 1, 2025, shall be assessed Roadway Capital Recovery Fees based on this Ordinance 2024-49.

Section 7. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance.

PASSED on first reading the ___ day of _____, 2024.

PASSED AND ADOPTED on the _____ day of _____, 2024.

NICK LONG
Mayor

ATTEST:

DIANA M. STAPP
City Secretary

APPROVED AS TO FORM:

MICHELLE L. VILLARREAL
City Attorney