

ORDINANCE NO. 26099-04-2023

AN ORDINANCE ADOPTING A COLLECTION RATE FOR TRANSPORTATION IMPACT FEES (SCHEDULE 2); PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 395, Tex. Loc. Gov't 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, on May 13, 2008, the City of Fort Worth adopted Ordinance No. 18083-05-2008 creating impact fees for transportation facilities in accordance with the statutory procedures for initially adopting such fees, known as the Fort Worth Transportation Impact Fee Regulations, which were effective July 1, 2008, now codified at Chapter 30, Article VIII of the Code of the City of Fort Worth (2015); and

WHEREAS, the City of Fort Worth updated its transportation impact fee land use assumptions, capital improvements plan and transportation impact fees by Ordinance No. 20605-02-2013, effective April 1, 2013, by Ordinance No. 23084-01-2018, effective April 1, 2018, by Ordinance 25810-10-2022, effective November 1, 2022 and by Ordinance 25889-11-2022, effective December 1, 2022; and

WHEREAS, the City of Fort Worth adopted a Collection Rate (Schedule 2) for transportation impact fees for roadway facilities by Ordinance No. 25889-11-2022 to be effective on June 1, 2023, except for the collection rates for the period between November 1, 2022 and May 31, 2023 which were effective upon the ordinance's effective date; and

WHEREAS, the City Council desires to adopt a revised Collection Rate (Schedule 2) to update the Panther Island Service Area's collection rate for transportation impact fees for roadway facilities to be effective June 1, 2023. For clarity, the only change is to the Panther Island Service Area (PI) Collection Rate which shall be 100% of the Schedule 1 amount for both residential and non-residential uses.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH:

SECTION 1.

TRANSPORTATION IMPACT FEES COLLECTION RATE (SCHEDULE 2)

The Transportation Impact Fee collection rate, Schedule 2, attached hereto as "Attachment A," as referred to in Section 30-171 of the Code of the City of Fort Worth, Texas, as amended, shall replace the Schedule 2 adopted on November 29, 2022, to be effective on the Effective Date indicated below. Said Schedule 2 is to be maintained in the Office of City Secretary.

**SECTION 2.
SEVERABILITY**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are 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 3.
CONFLICTS**

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances for the City of Fort Worth, 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 are hereby repealed.

**SECTION 4.
EFFECTIVE DATE.**

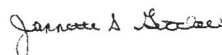
This ordinance shall take effect on April 26, 2023.

APPROVED AS TO FORM AND LEGALITY:


DBlack (Apr 27, 2023 17:08 CDT)

Douglas W Black
Sr. Assistant City Attorney

CITY SECRETARY



Jannette S. Goodall
City Secretary

ADOPTED: April 25, 2023

EFFECTIVE: April 26, 2023



ATTACHMENT A

Schedule 2 Collection Rates effective 11/1/2022 to 5/31/2023 Transportation Impact Fees Per Vehicle-Mile								
Assessment Date [as per City Code §30-172(a)]	Before 4/1/2013		On 4/1/2013 to 3/31/2019		On 4/1/2019 to 10/31/2022		On or After 11/1/2022	
Service Areas	Residential	Non-Residential	Residential	Non-Residential	Residential	Non-Residential	Residential	Non-Residential
A	\$773.20	\$468.75	\$773.20	\$468.75	\$773.20	\$468.75	\$813.45	\$509.00
AA*	\$63.00	\$63.00	\$228.00	\$228.00	\$228.00	\$228.00	\$355.00	\$355.00
B	\$773.20	\$468.75	\$773.20	\$468.75	\$773.20	\$468.75	\$813.45	\$509.00
C	\$640.00	\$468.75	\$773.20	\$468.75	\$773.20	\$468.75	\$813.45	\$509.00
D*	\$773.20	\$468.75	\$773.20	\$468.75	\$773.20	\$468.75	\$834.00	\$834.00
E	\$773.20	\$468.75	\$773.20	\$468.75	\$773.20	\$468.75	\$813.45	\$509.00
F*	\$387.00	\$387.00	\$773.20	\$468.75	\$773.20	\$468.75	\$743.00	\$743.00
G	\$755.00	\$468.75	\$773.20	\$468.75	\$773.20	\$468.75	\$813.45	\$509.00
L**	\$619.00	\$468.75	\$510.31	\$309.40	\$510.31	\$309.40	\$0.00	\$0.00
M	\$773.20	\$468.75	\$510.31	\$309.40	\$510.31	\$309.40	\$536.88	\$335.97
N	\$742.00	\$468.75	\$510.31	\$309.40	\$510.31	\$309.40	\$536.88	\$335.97
O	\$773.20	\$468.75	\$510.31	\$309.40	\$510.31	\$309.40	\$536.88	\$335.97
PI	\$492.00	\$468.75	\$492.00	\$468.75	\$492.00	\$468.75	\$517.61	\$509.00
S	\$773.20	\$468.75	\$773.20	\$468.75	\$773.20	\$468.75	\$813.45	\$509.00
T	\$726.00	\$468.75	\$773.20	\$468.75	\$773.20	\$468.75	\$813.45	\$509.00
U	\$567.00	\$468.75	\$773.20	\$468.75	\$773.20	\$468.75	\$813.45	\$509.00
V	\$773.20	\$468.75	\$773.20	\$468.75	\$773.20	\$468.75	\$813.45	\$509.00
W**	\$121.00	\$121.00	\$773.20	\$468.75	\$773.20	\$468.75	\$0.00	\$0.00
X	\$773.20	\$468.75	\$773.20	\$468.75	\$773.20	\$468.75	\$813.45	\$509.00
Y	\$773.20	\$468.75	\$773.20	\$468.75	\$773.20	\$468.75	\$813.45	\$509.00
Z	\$773.20	\$468.75	\$773.20	\$468.75	\$773.20	\$468.75	\$813.45	\$509.00

* Service Areas AA, D and F have the lowest Schedule 1 assessment rates. The collection rate in these service areas is 100% of their respective Schedule 1 amounts.

** Service Areas L and W no longer have collection rates due to these areas being largely built out with minimal growth projected

Schedule 2
Collection Rates effective 6/1/2023 to 5/31/2024
Transportation Impact Fees
Per Vehicle-Mile

Assessment Date [as per City Code §30-172(a)]	Before 4/1/2013		On 4/1/2013 to 3/31/2019		On 4/1/2019 to 10/31/2022		On or After 11/1/2022	
	Residential 50% of Sch 1	Non-Residential 40% of Sch 1	Residential 50% of Sch 1	Non-Residential 40% of Sch 1	Residential 50% of Sch 1	Non-Residential 40% of Sch 1	Residential 50% of Sch 1	Non-Residential 40% of Sch 1
A	\$494.50	\$395.60	\$1,079.00	\$863.20	\$1,012.50	\$810.00	\$821.00	\$656.80
AA*	\$63.00	\$63.00	\$228.00	\$228.00	\$205.00	\$205.00	\$355.00	\$355.00
B	\$1,007.00	\$805.60	\$1,209.50	\$967.60	\$1,658.00	\$1,326.40	\$1,564.00	\$1,251.20
C	\$320.00	\$256.00	\$661.50	\$529.20	\$572.00	\$457.60	\$890.50	\$712.40
D*	\$987.00	\$987.00	\$966.00	\$966.00	\$463.00	\$463.00	\$834.00	\$834.00
E	\$484.50	\$387.60	\$1,354.00	\$1,083.20	\$1,724.50	\$1,379.60	\$1,463.50	\$1,170.80
F*	\$387.00	\$387.00	\$998.00	\$998.00	\$675.00	\$675.00	\$743.00	\$743.00
G	\$377.50	\$302.00	\$1,045.50	\$836.40	\$899.50	\$719.60	\$1,027.50	\$822.00
L**	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
M	\$725.00	\$580.00	\$1,275.50	\$1,020.40	\$1,582.00	\$1,265.60	\$3,183.50	\$2,546.80
N	\$371.00	\$296.80	\$641.50	\$513.20	\$422.50	\$338.00	\$1,371.00	\$1,096.80
O	\$816.00	\$652.80	\$507.00	\$405.60	\$1,780.00	\$1,424.00	\$1,778.00	\$1,422.40
PI***	\$492.00	\$492.00	\$492.00	\$492.00	\$492.00	\$492.00	\$2,756.00	\$2,756.00
S	\$514.00	\$411.20	\$1,199.00	\$959.20	\$1,492.00	\$1,193.60	\$2,302.50	\$1,842.00
T	\$363.00	\$290.40	\$1,161.00	\$928.80	\$913.00	\$730.40	\$1,863.50	\$1,490.80
U	\$283.50	\$226.80	\$1,460.50	\$1,168.40	\$1,728.50	\$1,382.80	\$1,271.00	\$1,016.80
V	\$1,634.50	\$1,307.60	\$1,634.50	\$1,307.60	\$1,634.50	\$1,307.60	\$2,208.00	\$1,766.40
W**	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
X	\$499.50	\$399.60	\$1,156.00	\$924.80	\$1,903.00	\$1,522.40	\$1,647.00	\$1,317.60
Y	\$606.50	\$485.20	\$1,185.00	\$948.00	\$1,174.00	\$939.20	\$1,294.00	\$1,035.20
Z	\$809.00	\$647.20	\$1,481.00	\$1,184.80	\$1,853.00	\$1,482.40	\$3,050.50	\$2,440.40

* Service Areas AA, D and F have the lowest Schedule 1 assessment rates. The collection rate in these service areas is 100% of their respective Schedule 1 amounts.

** Service Areas L and W no longer have collection rates due to these areas being largely built out with minimal growth projected

*** Service Area PI collection rate is 100% of its Schedule 1 amount.

Schedule 2
Collection Rates effective 6/1/2024 to 5/31/2025
Transportation Impact Fees
Per Vehicle-Mile

Assessment Date [as per City Code §30-172(a)]	Before 4/1/2013		On 4/1/2013 to 3/31/2019		On 4/1/2019 to 10/31/2022		On or After 11/1/2022	
	Residential 55% of Sch 1	Non-Residential 40% of Sch 1	Residential 55% of Sch 1	Non-Residential 40% of Sch 1	Residential 55% of Sch 1	Non-Residential 40% of Sch 1	Residential 55% of Sch 1	Non-Residential 40% of Sch 1
A	\$543.95	\$395.60	\$1,186.90	\$863.20	\$1,113.75	\$810.00	\$903.10	\$656.80
AA*	\$63.00	\$63.00	\$228.00	\$228.00	\$205.00	\$205.00	\$355.00	\$355.00
B	\$1,107.70	\$805.60	\$1,330.45	\$967.60	\$1,823.80	\$1,326.40	\$1,720.40	\$1,251.20
C	\$352.00	\$256.00	\$727.65	\$529.20	\$629.20	\$457.60	\$979.55	\$712.40
D*	\$987.00	\$987.00	\$966.00	\$966.00	\$463.00	\$463.00	\$834.00	\$834.00
E	\$532.95	\$387.60	\$1,489.40	\$1,083.20	\$1,896.95	\$1,379.60	\$1,609.85	\$1,170.80
F*	\$387.00	\$387.00	\$998.00	\$998.00	\$675.00	\$675.00	\$743.00	\$743.00
G	\$415.25	\$302.00	\$1,150.05	\$836.40	\$989.45	\$719.60	\$1,130.25	\$822.00
L**	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
M	\$797.50	\$580.00	\$1,403.05	\$1,020.40	\$1,740.20	\$1,265.60	\$3,501.85	\$2,546.80
N	\$408.10	\$296.80	\$705.65	\$513.20	\$464.75	\$338.00	\$1,508.10	\$1,096.80
O	\$897.60	\$652.80	\$557.70	\$405.60	\$1,958.00	\$1,424.00	\$1,955.80	\$1,422.40
PI***	\$492.00	\$492.00	\$492.00	\$492.00	\$492.00	\$492.00	\$2,756.00	\$2,756.00
S	\$565.40	\$411.20	\$1,318.90	\$959.20	\$1,641.20	\$1,193.60	\$2,532.75	\$1,842.00
T	\$399.30	\$290.40	\$1,277.10	\$928.80	\$1,004.30	\$730.40	\$2,049.85	\$1,490.80
U	\$311.85	\$226.80	\$1,606.55	\$1,168.40	\$1,901.35	\$1,382.80	\$1,398.10	\$1,016.80
V	\$1,797.95	\$1,307.60	\$1,797.95	\$1,307.60	\$1,797.95	\$1,307.60	\$2,428.80	\$1,766.40
W**	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
X	\$549.45	\$399.60	\$1,271.60	\$924.80	\$2,093.30	\$1,522.40	\$1,811.70	\$1,317.60
Y	\$667.15	\$485.20	\$1,303.50	\$948.00	\$1,291.40	\$939.20	\$1,423.40	\$1,035.20
Z	\$889.90	\$647.20	\$1,629.10	\$1,184.80	\$2,038.30	\$1,482.40	\$3,355.55	\$2,440.40

* Service Areas AA, D and F have the lowest Schedule 1 assessment rates. The collection rate in these service areas is 100% of their respective Schedule 1 amounts.

** Service Areas L and W no longer have collection rates due to these areas being largely built out with minimal growth projected

*** Service Area PI collection rate is 100% of its Schedule 1 amount.

Schedule 2
Collection Rates effective 6/1/2025 to 5/31/2026
Transportation Impact Fees
Per Vehicle-Mile

Assessment Date (as per City Code §30-172(a))	Before 4/1/2013		On 4/1/2013 to 3/31/2019		On 4/1/2019 to 10/31/2022		On or After 11/1/2022	
	Residential 60% of Sch 1	Non-Residential 40% of Sch 1	Residential 60% of Sch 1	Non-Residential 40% of Sch 1	Residential 60% of Sch 1	Non-Residential 40% of Sch 1	Residential 60% of Sch 1	Non-Residential 40% of Sch 1
A	\$593.40	\$395.60	\$1,294.80	\$863.20	\$1,215.00	\$810.00	\$985.20	\$656.80
AA*	\$63.00	\$63.00	\$228.00	\$228.00	\$205.00	\$205.00	\$355.00	\$355.00
B	\$1,208.40	\$805.60	\$1,451.40	\$967.60	\$1,989.60	\$1,326.40	\$1,876.80	\$1,251.20
C	\$384.00	\$256.00	\$793.80	\$529.20	\$686.40	\$457.60	\$1,068.60	\$712.40
D*	\$987.00	\$987.00	\$966.00	\$966.00	\$463.00	\$463.00	\$834.00	\$834.00
E	\$581.40	\$387.60	\$1,624.80	\$1,083.20	\$2,069.40	\$1,379.60	\$1,756.20	\$1,170.80
F*	\$387.00	\$387.00	\$998.00	\$998.00	\$675.00	\$675.00	\$743.00	\$743.00
G	\$453.00	\$302.00	\$1,254.60	\$836.40	\$1,079.40	\$719.60	\$1,233.00	\$822.00
L**	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
M	\$870.00	\$580.00	\$1,530.60	\$1,020.40	\$1,898.40	\$1,265.60	\$3,820.20	\$2,546.80
N	\$445.20	\$296.80	\$769.80	\$513.20	\$507.00	\$338.00	\$1,645.20	\$1,096.80
O	\$979.20	\$652.80	\$608.40	\$405.60	\$2,136.00	\$1,424.00	\$2,133.60	\$1,422.40
PI***	\$492.00	\$492.00	\$492.00	\$492.00	\$492.00	\$492.00	\$2,756.00	\$2,756.00
S	\$616.80	\$411.20	\$1,438.80	\$959.20	\$1,790.40	\$1,193.60	\$2,763.00	\$1,842.00
T	\$435.60	\$290.40	\$1,393.20	\$928.80	\$1,095.60	\$730.40	\$2,236.20	\$1,490.80
U	\$340.20	\$226.80	\$1,752.60	\$1,168.40	\$2,074.20	\$1,382.80	\$1,525.20	\$1,016.80
V	\$1,961.40	\$1,307.60	\$1,961.40	\$1,307.60	\$1,961.40	\$1,307.60	\$2,649.60	\$1,766.40
W**	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
X	\$599.40	\$399.60	\$1,387.20	\$924.80	\$2,283.60	\$1,522.40	\$1,976.40	\$1,317.60
Y	\$727.80	\$485.20	\$1,422.00	\$948.00	\$1,408.80	\$939.20	\$1,552.80	\$1,035.20
Z	\$970.80	\$647.20	\$1,777.20	\$1,184.80	\$2,223.60	\$1,482.40	\$3,660.60	\$2,440.40

* Service Areas AA, D and F have the lowest Schedule 1 assessment rates. The collection rate in these service areas is 100% of their respective Schedule 1 amounts.

** Service Areas L and W no longer have collection rates due to these areas being largely built out with minimal growth projected

*** Service Area PI collection rate is 100% of its Schedule 1 amount.

Schedule 2
Collection Rates effective 6/1/2026
Transportation Impact Fees
Per Vehicle-Mile

Assessment Date [as per City Code §30-172(a)]	Before 4/1/2013		On 4/1/2013 to 3/31/2019		On 4/1/2019 to 10/31/2022		On or After 11/1/2022	
	Residential 65% of Sch 1	Non-Residential 40% of Sch 1	Residential 65% of Sch 1	Non-Residential 40% of Sch 1	Residential 65% of Sch 1	Non-Residential 40% of Sch 1	Residential 65% of Sch 1	Non-Residential 40% of Sch 1
A	\$642.85	\$395.60	\$1,402.70	\$863.20	\$1,316.25	\$810.00	\$1,067.30	\$656.80
AA*	\$63.00	\$63.00	\$228.00	\$228.00	\$205.00	\$205.00	\$355.00	\$355.00
B	\$1,309.10	\$805.60	\$1,572.35	\$967.60	\$2,155.40	\$1,326.40	\$2,033.20	\$1,251.20
C	\$416.00	\$256.00	\$859.95	\$529.20	\$743.60	\$457.60	\$1,157.65	\$712.40
D*	\$987.00	\$987.00	\$966.00	\$966.00	\$463.00	\$463.00	\$834.00	\$834.00
E	\$629.85	\$387.60	\$1,760.20	\$1,083.20	\$2,241.85	\$1,379.60	\$1,902.55	\$1,170.80
F*	\$387.00	\$387.00	\$998.00	\$998.00	\$675.00	\$675.00	\$743.00	\$743.00
G	\$490.75	\$302.00	\$1,359.15	\$836.40	\$1,169.35	\$719.60	\$1,335.75	\$822.00
L**	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
M	\$942.50	\$580.00	\$1,658.15	\$1,020.40	\$2,056.60	\$1,265.60	\$4,138.55	\$2,546.80
N	\$482.30	\$296.80	\$833.95	\$513.20	\$549.25	\$338.00	\$1,782.30	\$1,096.80
O	\$1,060.80	\$652.80	\$659.10	\$405.60	\$2,314.00	\$1,424.00	\$2,311.40	\$1,422.40
PI***	\$492.00	\$492.00	\$492.00	\$492.00	\$492.00	\$492.00	\$2,756.00	\$2,756.00
S	\$668.20	\$411.20	\$1,558.70	\$959.20	\$1,939.60	\$1,193.60	\$2,993.25	\$1,842.00
T	\$471.90	\$290.40	\$1,509.30	\$928.80	\$1,186.90	\$730.40	\$2,422.55	\$1,490.80
U	\$368.55	\$226.80	\$1,898.65	\$1,168.40	\$2,247.05	\$1,382.80	\$1,652.30	\$1,016.80
V	\$2,124.85	\$1,307.60	\$2,124.85	\$1,307.60	\$2,124.85	\$1,307.60	\$2,870.40	\$1,766.40
W**	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
X	\$649.35	\$399.60	\$1,502.80	\$924.80	\$2,473.90	\$1,522.40	\$2,141.10	\$1,317.60
Y	\$788.45	\$485.20	\$1,540.50	\$948.00	\$1,526.20	\$939.20	\$1,682.20	\$1,035.20
Z	\$1,051.70	\$647.20	\$1,925.30	\$1,184.80	\$2,408.90	\$1,482.40	\$3,965.65	\$2,440.40

* Service Areas AA, D and F have the lowest Schedule 1 assessment rates. The collection rate in these service areas is 100% of their respective Schedule 1 amounts.

** Service Areas L and W no longer have collection rates due to these areas being largely built out with minimal growth projected

*** Service Area PI collection rate is 100% of its Schedule 1 amount.

City of Fort Worth, Texas

Mayor and Council Communication

DATE: 04/25/23

M&C FILE NUMBER: M&C 23-0295

LOG NAME: 06PANTHER ISLAND TRANSPORTATION IMPACT FEE COLLECTION RATE

SUBJECT

(ALL) Adopt Ordinance Amending the Collection Rate for Assessed Transportation Impact Fees to Update the Panther Island Service Area, to be Effective June 1, 2023

RECOMMENDATION:

It is recommended that the City Council adopt the attached ordinance amending the collection rate table (Schedule 2) for Transportation Impact Fees to update the Panther Island Service Area, to be effective June 1, 2023

DISCUSSION:

On October 25, 2022 (Mayor and Council Communication (M&C) 22-0876), the City Council adopted Ordinance No. 25810-10-2022 adopting the 2022 Transportation Impact Fee Study, land use assumptions, transportation improvements plan, maximum assessable fees (Schedule 1), and making certain text amendments to the City Code, which was effective November 1, 2022.

On November 29, 2022 (M&C 22-1018), the City Council adopted Ordinance No. 25889-11-2022 establishing the collection rates (Schedule 2) for assessed transportation impact fees, providing for an effective date of June 1, 2023 for said collections and making administrative changes and certain text amendments to the City Code, effective December 1, 2022. The Schedule 2 failed to indicate that Service Area PI (Panther Island) would be collected at 100% for both residential and non-residential.

This M&C is to adopt an ordinance adopting a revised Schedule 2 to correct that error.

Background: The Panther Island Service Area was first established during the 2017 Transportation Impact Fee Study Update for the express purpose of funding the White Settlement Bridge and the associated intersection improvements.

Collection Rate: The 100% collection rate for the Panther Island Service Area of \$2,756.00 (per vehicle-mile) will have an effective date of June 1, 2023. For all plats approved on or after November 1, 2022, the collection rates before June 1, 2023 will remain at the hybrid rates of \$517.61 (per vehicle-mile) for residential and \$509.00 (per vehicle-mile) for non-residential land uses.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that approval of the recommendation will have no material effect on City funds.

Submitted for City Manager's Office by: Dana Burghdoff 8018

Originating Business Unit Head: D.J. Harrell 8032

Additional Information Contact: Jennifer Roberts 6101