

TOWN OF FAIRVIEW, TEXAS

ORDINANCE NO. 2022-06

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS, AMENDING CHAPTER 10.03 "IMPACT FEES" OF THE FAIRVIEW CODE OF ORDINANCES BY REMOVING AND REPLACING TABLE 1 AND TABLE 2 IN THEIR ENTIRETY OF SECTION 10.03.015 "FEE SCHEDULES" ; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Fairview approved a report updating the town's road, water and sewer impact fees according to the procedures as prescribed in Chapter 395, Texas Local Government Code; and

WHEREAS, updated land use assumptions and capital improvements plans for a 10 year window were included in the study; and

WHEREAS, the maximum road, water and sewer impact fees that could be assessed based on new development and remaining capacities were determined; and

WHEREAS, public notices were placed and a public hearing was held at the February 1, 2022 Town Council meeting; and

WHEREAS, the Town Council finds that it is in the best interest of the citizens of the Town to adopt revised impact fees for road, water and sewer facilities; and

WHEREAS, changes to the Code of Ordinances, Town of Fairview, Texas ("Town Code"), Chapter 10, Article 10.03 are necessary in order to effectively administer the revised impact fees program;

WHEREAS, the Town Council finds that it is in the public interest to make amendments described herein; now, therefore,

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS; that

Section 1. That Table 1 and Table 2, attached hereto as Exhibit A and incorporated herein by reference setting forth the impact fees per service unit to be collected from new development for road, water and sewer facilities, are hereby adopted. Tables 1 and 2 hereby shall supersede all previously adopted impact fee collection rates as of the effective date of this ordinance. Section 10.03.015 shall be amended to make reference to the number of this ordinance and date of adoption.

Section 2. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction be subject to a fine in accordance with the general provisions of the Fairview Code of Ordinances.

Section 3. That Chapter 3 of the Town of Fairview Code of Ordinances shall remain in full force and effect save and except as amended by this ordinance.

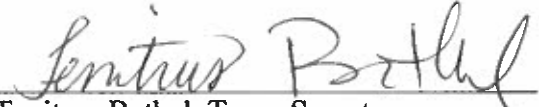
Section 4. That the sections, paragraphs, sentences, phrases, clauses and words of this ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this ordinance or application thereof to any person, firm or corporation, or to any circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the Town Council hereby declares that it would have adopted such remaining portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. That this ordinance shall take effect upon passage and publication, and it is accordingly so ordained.

PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS, this 1st day of March 2022.


Henry Lessner, Mayor
Town of Fairview

ATTEST:


Tenitrus Bethel, Town Secretary



APPENDIX A

Table 1 Land Use/ Vehicle-Mile Equivalency Table

ALL LAND USES INCLUDING RESIDENTIAL AND COMMERCIAL AND ALL OTHERS SHALL USE \$549 PER VEHICLE-MILE

Land Use Category	ITE Land Use Code	Development Unit	Trip Gen Rate (PM)	Pass-by Rate	Pass-by Source	Trip Rate	NHTS Trip Length (mi)	Adj. For O-D	Adj. Trip Length (mi)	Max Trip Length (mi)	Veh-Mi Per Dev-Unit
PORT AND TERMINAL											
Truck Terminal	030	1,000 SF GFA	1.87			1.87	14.65	50%	7.33	5.00	9.35
INDUSTRIAL											
General Light Industrial	110	1,000 SF GFA	0.65			0.65	14.65	50%	7.33	5.00	3.25
Industrial Park	130	1,000 SF GFA	0.34			0.34	14.65	50%	7.33	5.00	1.70
Warehousing	150	1,000 SF GFA	0.18			0.18	14.65	50%	7.33	5.00	0.90
Mini-Warehouse	151	1,000 SF GFA	0.15			0.15	14.65	50%	7.33	5.00	0.75
RESIDENTIAL											
Single-Family Detached Housing	210	Dwelling Unit	0.94			0.94	9.79	50%	4.90	4.90	4.60
Multi-Family Housing (Low-Rise)	220	Dwelling Unit	0.51			0.51	9.79	50%	4.90	4.90	2.49
Multi-Family Housing (Mid-Rise)	221	Dwelling Unit	0.39			0.39	9.79	50%	4.90	4.90	1.91
Multi-Family Housing (High-Rise)	222	Dwelling Unit	0.32			0.32	9.79	50%	4.90	4.90	1.56
Residential Condominium/Townhome	220	Dwelling Unit	0.51			0.51	9.79	50%	4.90	4.90	2.49
Senior Adult Housing - Single-Family	251	Dwelling Unit	0.30			0.30	9.79	50%	4.90	4.90	1.47
Senior Adult Housing - Multi-Family	252	Dwelling Unit	0.25			0.25	9.79	50%	4.90	4.90	1.22
Assisted Living	254	Beds	0.24			0.24	9.79	50%	4.90	4.90	1.17
LODGING											
Hotel	310	Room	0.59			0.59	6.43	50%	3.22	3.22	1.89
Motel / Other Lodging Facilities	320	Room	0.36			0.36	6.43	50%	3.22	3.22	1.15
RECREATIONAL											
Golf Driving Range	432	Tee	1.25			1.25	7.86	50%	3.93	3.93	4.91
Golf Course	430	Acre	0.28			0.28	7.86	50%	3.93	3.93	1.10
Recreational Community Center	495	1,000 SF GFA	2.50			2.50	7.86	50%	3.93	3.93	9.82
Ice Skating Rink	465	1,000 SF GFA	1.33			1.33	7.86	50%	3.93	3.93	5.22
Miniature Golf Course	431	Hole	0.33			0.33	7.86	50%	3.93	3.93	1.29
Multiplex Movie Theater	445	Screens	13.96			13.96	7.86	50%	3.93	3.93	54.86
Racquet / Tennis Club	491	Court	3.82			3.82	7.86	50%	3.93	3.93	15.01
INSTITUTIONAL											
Church	560	1,000 SF GFA	0.49			0.49	8.31	50%	4.16	4.16	2.03
Day Care Center	565	1,000 SF GFA	11.12	44%	C	6.23	3.49	50%	1.75	1.75	10.90
Primary/Middle School (1-8)	522	Students	0.15			0.15	3.49	50%	1.75	1.75	0.26
High School (9-12)	525	Students	0.14			0.14	3.49	50%	1.75	1.75	0.24
Junior / Community College	540	Students	0.11			0.11	10.44	50%	5.22	5.00	0.55
University / College	550	Students	0.15			0.15	10.44	50%	5.22	5.00	0.75
MEDICAL											
Clinic	630	1,000 SF GFA	3.69			3.69	9.85	50%	4.93	4.93	18.19
Hospital	610	1,000 SF GFA	0.86			0.86	9.85	50%	4.93	4.93	4.23
Nursing Home	620	Beds	0.14			0.14	9.85	50%	4.93	4.93	0.69
Animal Hospital/Veterinary Clinic	640	1,000 SF GFA	3.53	30%	B	2.47	9.85	50%	4.93	4.93	12.17
OFFICE											
Corporate Headquarters Building	714	1,000 SF GFA	1.30			1.30	14.65	50%	7.33	5.00	6.50
General Office Building	710	1,000 SF GFA	1.44			1.44	14.65	50%	7.33	5.00	7.20
Medical-Dental Office Building	720	1,000 SF GFA	3.93			3.93	9.85	50%	4.93	4.93	19.37
Single Tenant Office Building	715	1,000 SF GFA	1.76			1.76	14.65	50%	7.33	5.00	8.80
Office Park	750	1,000 SF GFA	1.30			1.30	14.65	50%	7.33	5.00	6.50

Key to Sources of Pass-by Rates:

A: ITE Trip Generation Handbook 3rd Edition (September 2017)

B: Estimated by Kinley-Horn based on ITE rates for similar categories

C: 2021 Pass-By Tables for ITE Trip Gen Appendices

Table 1 (cont'd)

Land Use Category	ITE Land Use Code	Development Unit	Trip Gen Rate (PM)	Pass-by Rate	Pass-by Source	Trip Rate	NHTS Trip Length (mi)	Adj. For O-D	Adj. Trip Length (mi)	Max Trip Length (mi)	Veh-MI Per Dev-Unit
COMMERCIAL											
Automobile Related											
Automobile Care Center	942	1,000 SF Occ. GLA	3.11	40%	B	1.87	4.45	50%	2.23	2.23	4.17
Automobile Parts Sales	843	1,000 SF GFA	4.90	43%	A	2.79	4.45	50%	2.23	2.23	6.22
Gasoline/Service Station	944	Vehicle Fueling Position	13.91	42%	A	8.07	1.20	50%	0.60	0.60	4.84
Gasoline/Service Station w/ Conv Market	945	Vehicle Fueling Position	18.42	56%	B	8.10	1.20	50%	0.60	0.60	4.86
New and Used Car Sales	841	1,000 SF GFA	3.75	20%	B	3.00	4.45	50%	2.23	2.23	6.69
Quick Lubrication Vehicle Shop	941	Servicing Positions	4.85	40%	B	2.91	4.45	50%	2.23	2.23	6.48
Self-Service Car Wash	947	Wash Stalls	5.54	40%	B	3.32	1.20	50%	0.60	0.60	1.99
Car Wash and Detail Center	949	Wash Stalls	13.60	40%	B	8.16	1.20	50%	0.60	0.60	4.89
Tire Store	848	1,000 SF GFA	3.75	25%	C	2.81	4.45	50%	2.23	2.23	6.26
Dining											
Fast Food Restaurant with Drive-Thru Window	934	1,000 SF GFA	33.03	50%	A	16.52	5.64	50%	2.82	2.82	46.58
Fast Food Restaurant without Drive-Thru Window	933	1,000 SF GFA	33.21	50%	B	16.61	5.64	50%	2.82	2.82	46.84
High Turnover (Sit-Down) Restaurant	932	1,000 SF GFA	9.05	43%	A	5.16	6.07	50%	3.04	3.04	15.68
Fine Dining Restaurant	931	1,000 SF GFA	7.80	44%	A	4.37	6.07	50%	3.04	3.04	13.28
Fast Casual Restaurant	930	1,000 SF GFA	12.55	43%	A	7.15	6.07	50%	3.04	3.04	21.73
Coffee/Donut Shop with Drive-Thru Window	937	1,000 SF GFA	38.99	70%	A	11.70	4.53	50%	2.27	2.27	26.55
Other Retail											
Free-Standing Retail Store	815	1,000 SF GFA	4.86	20%	C	3.89	5.60	50%	2.80	2.80	10.89
Nursery (Garden Center)	817	1,000 SF GFA	6.94	30%	B	4.86	5.60	50%	2.80	2.80	13.60
Home Improvement Superstore	862	1,000 SF GFA	2.29	48%	A	1.19	5.60	50%	2.80	2.80	3.33
Pharmacy/Drugstore	881	1,000 SF GFA	10.25	49%	A	5.23	5.60	50%	2.80	2.80	14.64
Shopping Center	820	1,000 SF GLA	3.40	34%	A	2.24	5.60	50%	2.80	2.80	6.27
Supermarket	850	1,000 SF GFA	8.95	24%	C	6.80	5.60	50%	2.80	2.80	19.04
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	3.83
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	27.07	47%	A	14.35	4.45	50%	2.23	2.23	32.00
Hair Salon	918	1,000 SF GLA	1.45	30%	B	1.02	4.45	50%	2.23	2.23	2.27

Key to Sources of Pass-by Rates:

A: ITE Trip Generation Handbook 3rd Edition (September 2017)

B: Estimated by Kimley-Horn based on ITE rates for similar categories

C: 2021 Pass-By Tables for ITE Trip Gen Appendices

Table 2: Service Unit Equivalency Table for Commonly Used Meters**Water**

Meter Size*	Maximum Continuous Operating Capacity (GPM)**	Service Unit Equivalent	Maximum Assessable Fee (\$)
5/8"x 3/4" PD	10	1	1,175
3/4" PD	15	1.5	1,763
1" PD	25	2.5	2,938
1 1/2" PD	50	5	5,875
2" PD	80	8	9,400
2" Compound	80	8	9,400
2" Turbine	160	16	18,800
3" Compound	175	17.5	20,563
3" Turbine	350	35	41,125
4" Compound	300	30	35,250
4" Turbine	650	65	76,375
6" Compound	675	67.5	79,313
6" Turbine	1,400	140	164,500
8" Compound	900	90	105,750
8" Turbine	2,400	240	282,000
10" Turbine	3,500	350	411,250

* PD = Positive Displacement Meter (Typical Residential Meter)

** Operating capacities obtained from American Water Works (AWWA) C-700, C-701 & C-702

Table 2 (Cont'd)**Sewer**

Meter Size*	Maximum Continuous Operating Capacity (GPM)**	Service Unit Equivalent	Maximum Assessable Fee (\$)
5/8"x 3/4" PD	10	1	810
3/4" PD	15	1.5	1,215
1" PD	25	2.5	2,025
1 1/2" PD	50	5	4,050
2" PD	80	8	6,480
2" Compound	80	8	6,480
2" Turbine	160	16	12,960
3" Compound	175	17.5	14,175
3" Turbine	350	35	28,350
4" Compound	300	30	24,300
4" Turbine	650	65	52,650
6" Compound	675	67.5	54,675
6" Turbine	1,400	140	113,400
8" Compound	900	90	72,900
8" Turbine	2,400	240	194,400
10" Turbine	3,500	350	283,500

* PD = Positive Displacement Meter (Typical Residential Meter)

** Operating capacities obtained from American Water Works (AWWA) C-700, C-701 & C-702