



19-0010M11

**TITLE:** Consider/Discuss/Act on a Resolution Setting a Public Hearing Date for November 17, 2020 to Consider an Amendment of the Utility Impact Fee Ordinance as Part of the Impact Fee Update Process, and Accompanying Resolution

**COUNCIL GOAL:** Operational Excellence  
(2B: Balance Available Resources to Accommodate the Growth and Maintenance Needs of the City)

**MEETING DATE:** October 6, 2020

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
Aaron Bloxham, Planning Manager  
Mitchell Corona, CNU-A, Planner I

**RECOMMENDED CITY COUNCIL ACTION:**

- Approval of the Resolution.

**ITEM SUMMARY:**

- In order to ensure that as many interested parties as possible are aware of an amendment to the Utility Impact Fee Ordinance and associated impact fee changes, Chapter 395 of the Texas Local Government Code requires that a political subdivision adopt an ordinance, order, or resolution setting a public hearing date to consider adoption of the updated Utility Impact Fee Ordinance and associated impact fee changes.
- As such, Staff is requesting that City Council pass a Resolution setting the date for a Public Hearing to consider an amendment to the Utility Impact Fee Ordinance and associated impact fees.
- The requested date for the Public Hearing is the November 17, 2020 City Council meeting.

- In accordance with State Law, potential amendments to utility impact fees have been posted on the City's webpage for public review and comment. Staff will also post a 30 day legal notice announcing the Public Hearing date.

#### **BACKGROUND INFORMATION:**

- Chapter 395 of the Texas Local Government Code mandates that impact fees be reviewed and updated at least every 5 years. The City of McKinney last performed a review and update of impact fees in 2013.
- As required by State Law, updating impact fees involves 3 major components:
  - Land Use Assumptions (completed, September 2019)
  - Capital Improvements Plans (scheduled for approval)
  - Fee Setting/Adopting the Ordinances (scheduled for approval)
- Major updates to the city's future land use plan were adopted in October 2018 as part of the ONE McKinney 2040 Comprehensive Plan. These updates serve as the foundation for updating the city's impact fees. As such, Staff was able to move into the formal impact fee update process with the launch of the land use assumptions in spring of 2019.

#### **BOARD OR COMMISSION RECOMMENDATION:**

- As required by State Law, the Capital Improvements Advisory Committee (CIAC) serves in an advisory capacity and is established to:
  - (1) Advise and assist the political subdivision in adopting land use assumptions;
  - (2) Review the capital improvements plan and file written comments;
  - (3) Monitor and evaluate implementation of the capital improvements plan;
  - (4) File semiannual reports with respect to the progress of the capital improvements plan and report to the political subdivision any perceived inequities in implementing the plan or imposing the impact fee; and
  - (5) Advise the political subdivision of the need to update or revise the land use assumptions, capital improvements plan and impact fee.
- The Capital Improvements Advisory Committee will consider and comment on the potential fee amendments for utility impact fees at their October 27, 2020 Capital Improvements Advisory Committee meeting. The minutes of that meeting will serve as the written comments and will be forwarded to the City Council at the November 17, 2020 meeting.

#### **SUPPORTING MATERIALS:**

[Resolution](#)