



**EQUITABLE.
PREDICTABLE.
TRANSPARENT.**



Street Impact Fee Briefing: *Study Results & Policy Recommendation*



Urban Transportation Commission
July 10, 2020
Austin Transportation Department

Overview

- Impact Fees in Texas
- Street Impact Fee Study Results
- Staff Recommendation
- Next Steps

Texas Local Government Code

Chapter 395

- "Impact fee" means a charge or assessment imposed by a political subdivision against **new development** in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions **necessitated by and attributable to the new development**.
- Water, Wastewater, Stormwater, Roadways

Why Street Impact Fees?

- Determining a method for growth to pay for necessary infrastructure in a way that is:
 - **Equitable** – the same type and intensity development pays equal fee within a Service Area
 - **Predictable** – can determine the fee without doing an intensive study
 - **Transparent** – a worksheet to calculate the fee would be publicly available
 - **Flexible** – fees collected can be spent within a Service Area on any projects identified in the study within 10 years of being collected
- Ultimate purpose is to develop a fair and reasonable fee development should pay for vehicle capacity improvements

Example Developments

Austin Development	Austin Mitigation/TIA	Round Rock ⁺	Frisco ⁺	Fort Worth ⁺	Prosper ⁺
298 Apartments	\$86,288	\$424,104	\$365,348 - \$803,408	\$631,164	\$1,059,688 - \$1,397,620
55,000 ft ² Office	\$317,388	\$107,402	\$216,315 - \$475,915	\$177,870	\$214,005 - \$282,260
397,000 ft ² Office 46,700 ft ² Restaurant 250 Apartment 100 Room Hotel	\$561,325	\$1,566,632	\$2,395,819 - \$5,270,671	\$2,274,362	\$2,785,632 - \$3,674,050
Single Family: 153 D.U. Office: 7,700 ft ² Retail: 7,700 ft ²	\$260,000	\$1,051,057	\$375,130 - \$785,925	\$624,023	\$761,045 - \$1,003,832
+ Note: Comparison cities are collection rate.					

LGC Chapter 395 Required Study

- Project new growth for the next 10 years
 - Establish **Service Areas** within which a maximum impact fee is determined
 - Develop **Land Use Assumptions** and corresponding growth projections within each Service Area
- Project corresponding roadway capacity needs (**Roadway Capacity Plan**) to accommodate that growth within each Service Area

Texas Law: CIP Definition

- Roadway (Street) facilities means arterial or collector streets or roads that have been designated on an **officially adopted** roadway plan of the political subdivision, together with **all necessary appurtenances**. The term includes the political subdivision share of cost 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 establishments of curbs, gutters, sidewalks, drainage appurtenances, and rights-of-way.

What could Street Impact Fees pay for?

Components that *can* be paid for

Capacity Related Projects:

- ✓ Construction cost of capital improvements in the Roadway Capacity Plan
 - Roadways – additional lanes, bridges, including “appurtenances” of roadways
 - Intersections – Signals, turn lanes
- ✓ Corridor Planning and Preliminary Engineering
- ✓ Survey and Engineering fees
- ✓ Land acquisition costs
- ✓ Debt Service of Street Impact Fee Plan
- ✓ Study/Update Costs

Components that *cannot* be paid for

Non Capacity Related Projects:

- Projects not included in the Roadway Capacity Plan
- Repair, operation and maintenance of existing or new facilities
- Upgrades to serve existing development
- Administrative costs of operating the program

Prior Meetings & Actions

Council Actions:

- **June 9, 2016:** ATD authorized to procure consultant to develop Street Impact Fees (SIF)
- **October 19, 2017:** City Council Public Hearing on Land Use Assumptions
- **April 11, 2019:** Austin Strategic Mobility Plan adopted, calling for implementation of SIF policy and program to fund roadway capacity improvements necessitated by growth
- **August 8, 2019:** City Council Public Hearing on SIF study assumptions
- **August 22, 2019:** City Council approval of SIF study assumptions (Land Use Assumptions & Roadway Capacity Plan)

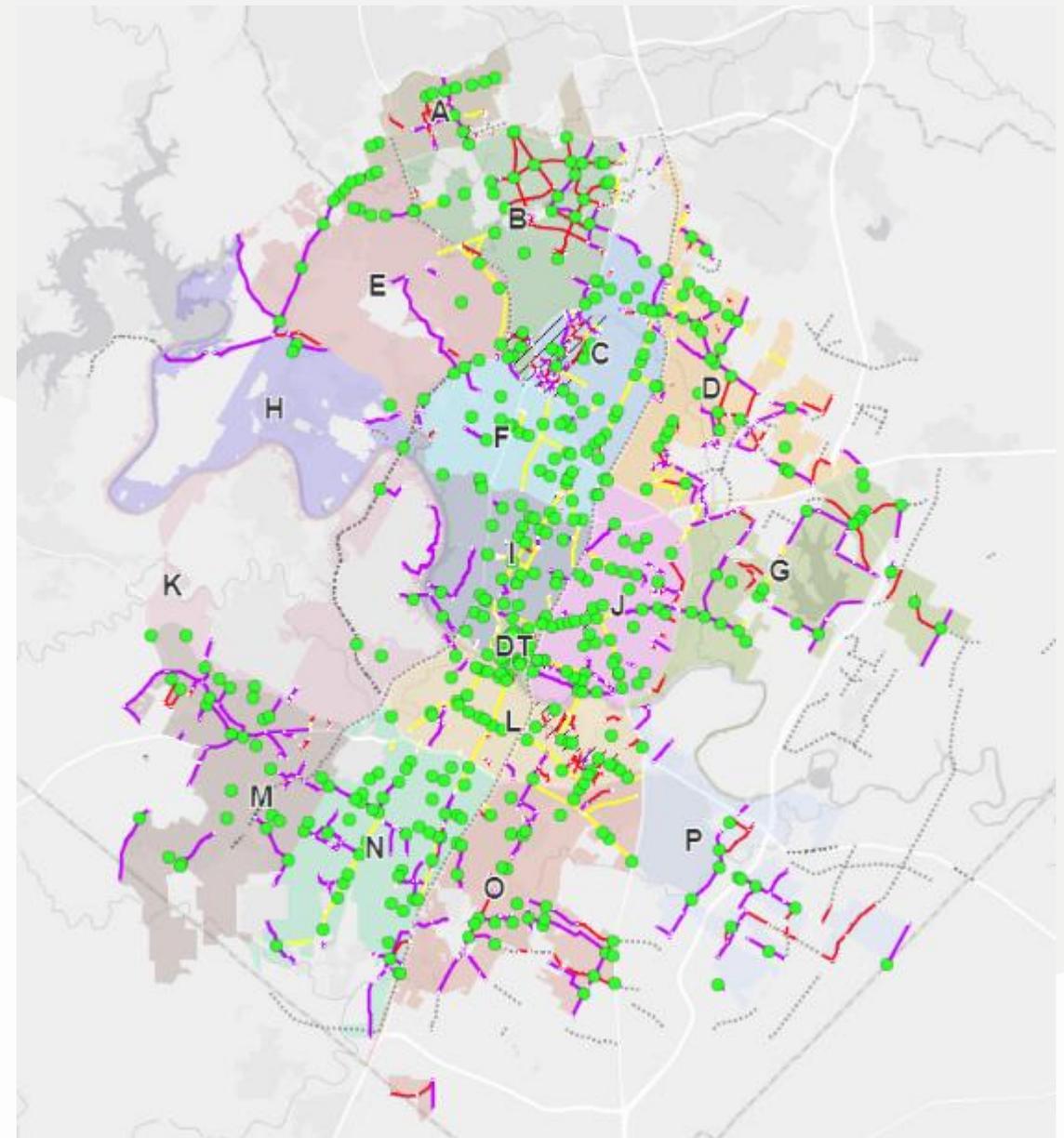
Council Committee, Boards & Commissions:

- **June 21, 2017:** Council Mobility Committee
- **July 25, 2017:** Impact Fee Advisory Committee
 - Recommended approval of Land Use Assumptions for 10-year growth & Service Areas
- **October 10, 2017:** Urban Transportation Commission
- **August 16, 2018:** Council Mobility Committee
- **June 13, 2019:** Council Mobility Committee
- **June 13, 2019:** Impact Fee Advisory Committee
 - Recommended approval of Roadway Capacity Plan
- **August 21, 2019:** Council Mobility Committee
- **September 23, 2019:** Design Commission
- **March 4, 2020:** Impact Fee Advisory Committee
 - Recommended approval of Street Impact Fee Study Report
- **April 14, 2020:** Impact Fee Advisory Committee
 - Recommended fee collection rates and policy
- **April 30, 2020:** Council Mobility Committee
- **June 16, 2020:** Bicycle Advisory Council
- **June 17, 2020:** Codes & Ordinances Joint Committee
- **July 6, 2020:** Pedestrian Advisory Council
- **July 8, 2020:** Codes & Ordinances Joint Committee

Approved Study Assumptions

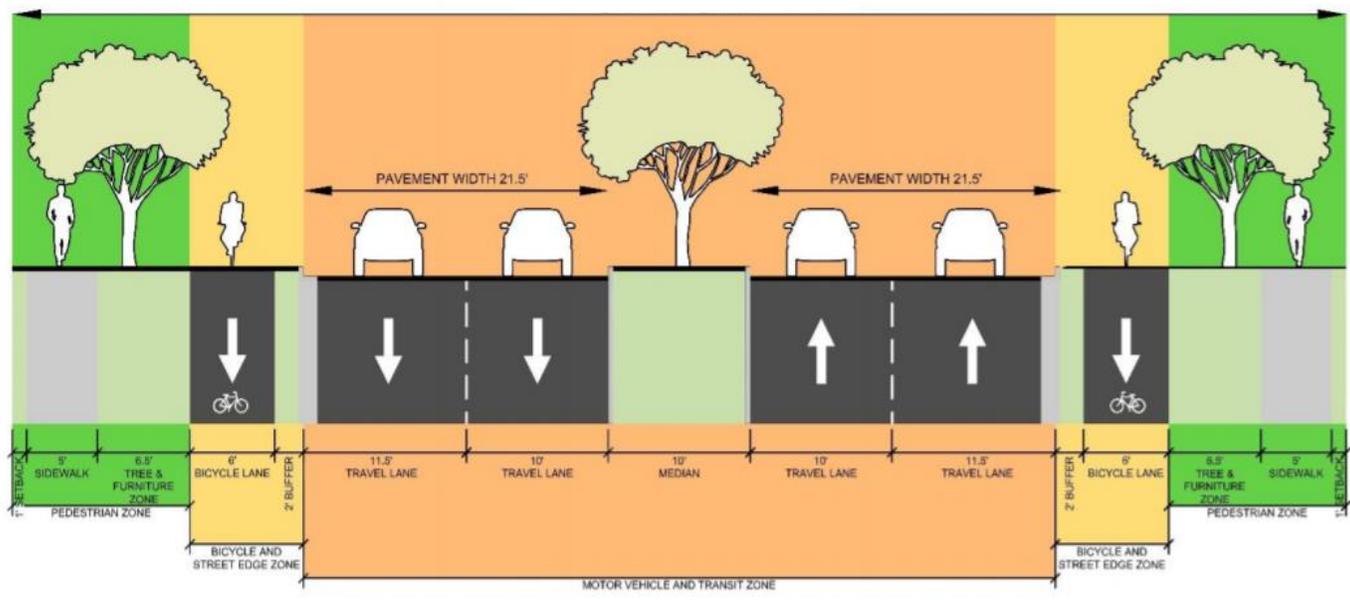
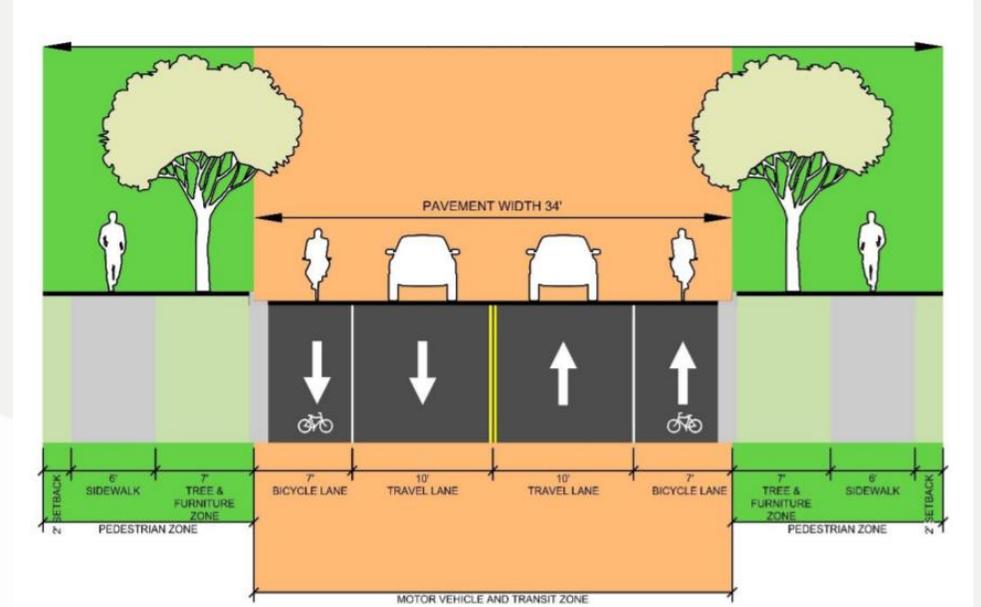
August 22, 2019

- 17 Service Areas (6-mi. diameter)
- Land Use Assumptions
 - Basis for residential and employment growth projections over 10-year period (2017-2027)
- Roadway Capacity Plan (defined by Austin Strategic Mobility Plan)
 - New roadways
 - Roadway expansions
 - Access management
 - Intersection improvements



Street Design based on

- ASMP Street Network Table → ROW
- Transportation Criteria Manual → Cross-sections

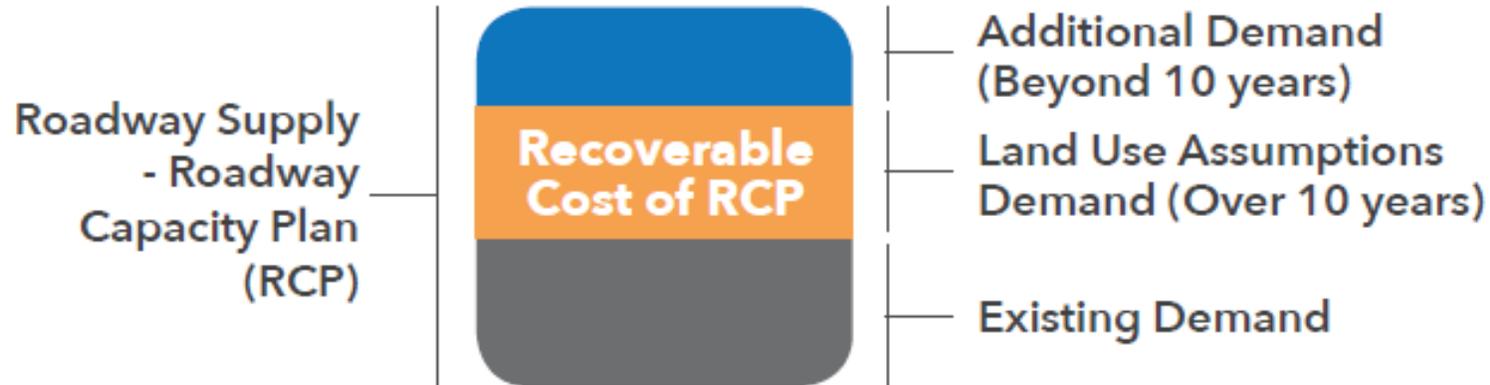


Texas Law: Service Unit definition

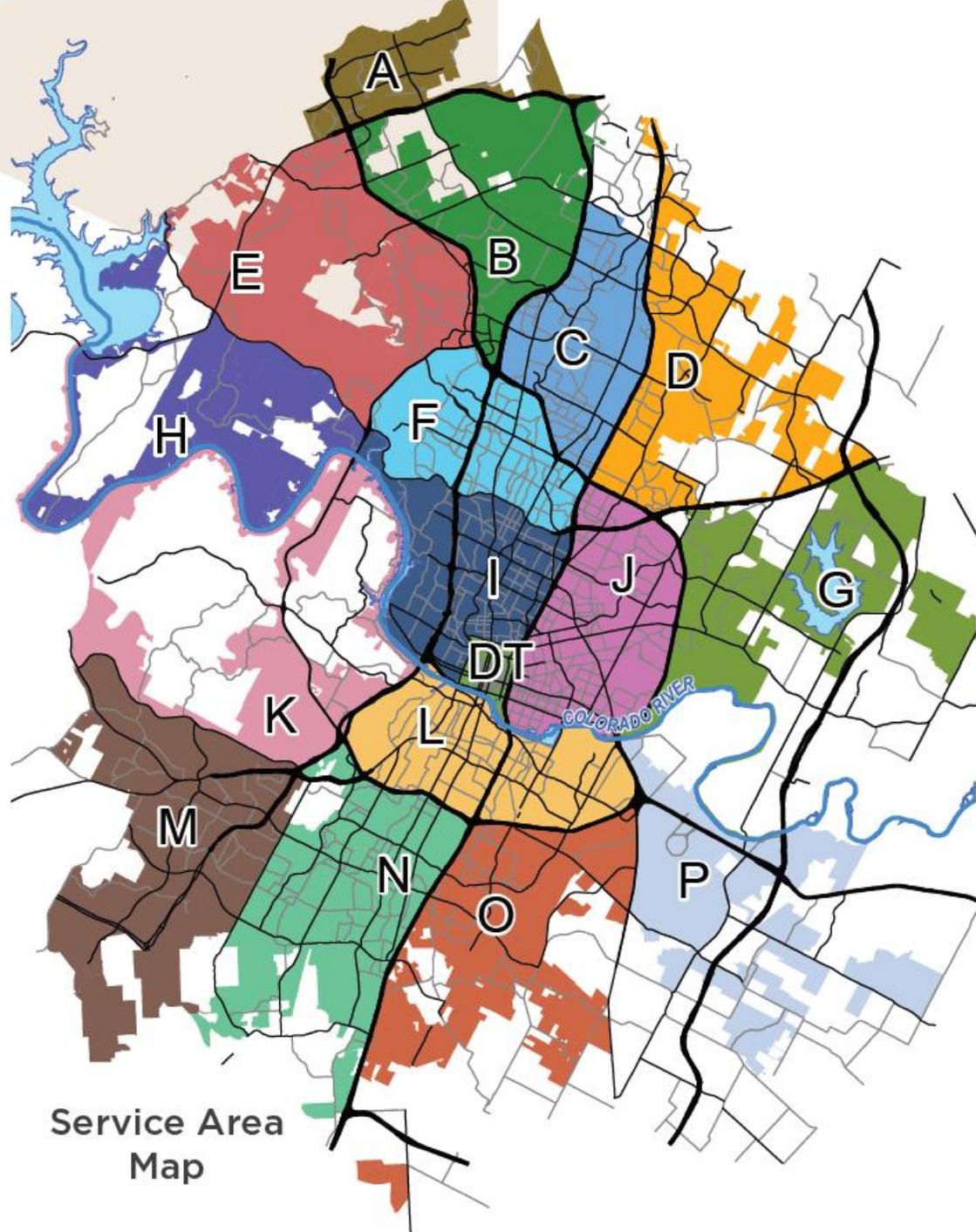
- Standardized **measure of consumption attributable to an individual unit of development** calculated in accordance with generally accepted engineering or planning standards and based on historical data and trends applicable to the political subdivision in which the individual unit of development is located during the previous 10 years
- Roadway utilizes **vehicle-miles**: one vehicle to travel one mile

Impact Fee Calculation

$$\text{Maximum Impact Fee Per Service Unit} = \frac{\text{Recoverable Cost of RCP (\$)}}{\text{New Service Units of Demand}}$$



- Developed Land Use and Population Projections (Demand)
 - Developed 10-Year Impact Fee CIP (RCP)
 - Removed costs associated with existing demand and growth at 10+ years
 - Accounted for prior developer contributions
 - Conducted Credit Calculation
- = **Maximum Impact Fee**



Service Area
Map

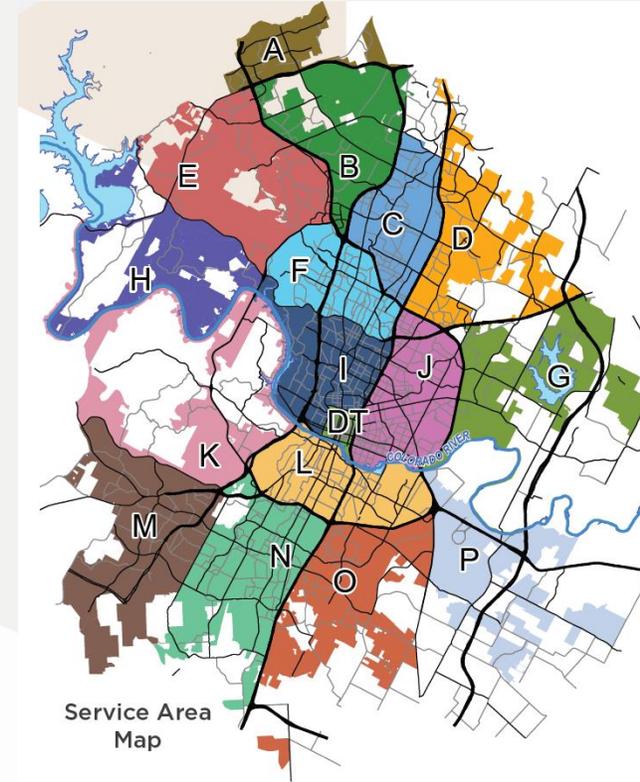
Collected Fees – Considerations

Council can consider the following factors in establishing policy/equity:

- **Vary by Service Area:** Use a different collection option by Service Area
- **Vary by Land Use:** Use a different rate or percentage for residential and non-residential
- **Phased-In Approach:** Start with one option in year 1 and transition to another option in the future (e.g. Round Rock)
- **Offsets:** In all options, fees would be offset by system improvements that are built by development
- **Reductions:** Additional reductions for different development types that further other City objectives, such as affordable housing and transit-oriented development

Maximum Impact Fees & Draft Recommended Rates

- IFAC process to recommend Collected Rate
- IFAC initially agreed on the following:
 - Flat percentage of maximum across City, not a flat rate
 - Different rates for residential and non-residential
- 50% of maximum for non-residential uses
- 35% of maximum for residential uses



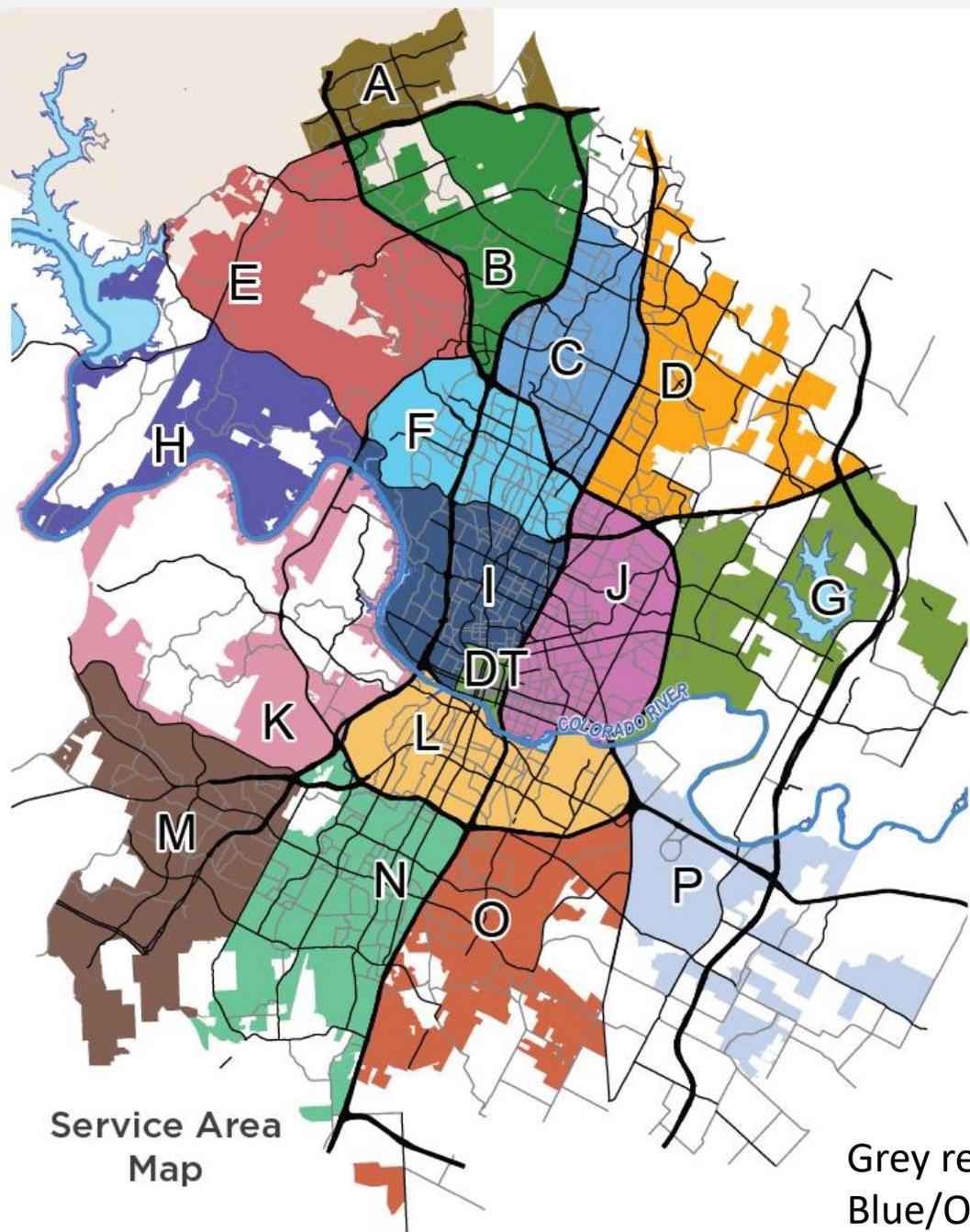
Maximum Fee Scenario					
Land Use	Average	Median	Highest*	Lowest**	Unit
Single Fam	\$ 10,633	\$ 9,449	\$ 24,504	\$ 3,906	DU
Duplex/ADU	\$ 6,013	\$ 5,345	\$ 13,862	\$ 2,205	DU
Restaurant	\$ 41	\$ 36	\$ 86.80	\$ 20.47	s.f.
Office	\$ 11	\$ 9	\$ 22.38	\$ 5.73	s.f.
Retail	\$ 21	\$ 18	\$ 45.90	\$ 9.94	s.f.

IFAC Recommended Rate					
Land Use	Average	Median	Highest*	Lowest**	Unit
Single Fam	\$ 3,721	\$ 3,307	\$ 8,576	\$ 1,367	DU
Duplex/ADU	\$ 2,105	\$ 1,871	\$ 4,852	\$ 772	DU
Restaurant	\$ 20	\$ 18	\$ 43.40	\$ 10.23	s.f.
Office	\$ 5	\$ 5	\$ 11.19	\$ 2.86	s.f.
Retail	\$ 11	\$ 9	\$ 22.95	\$ 4.97	s.f.

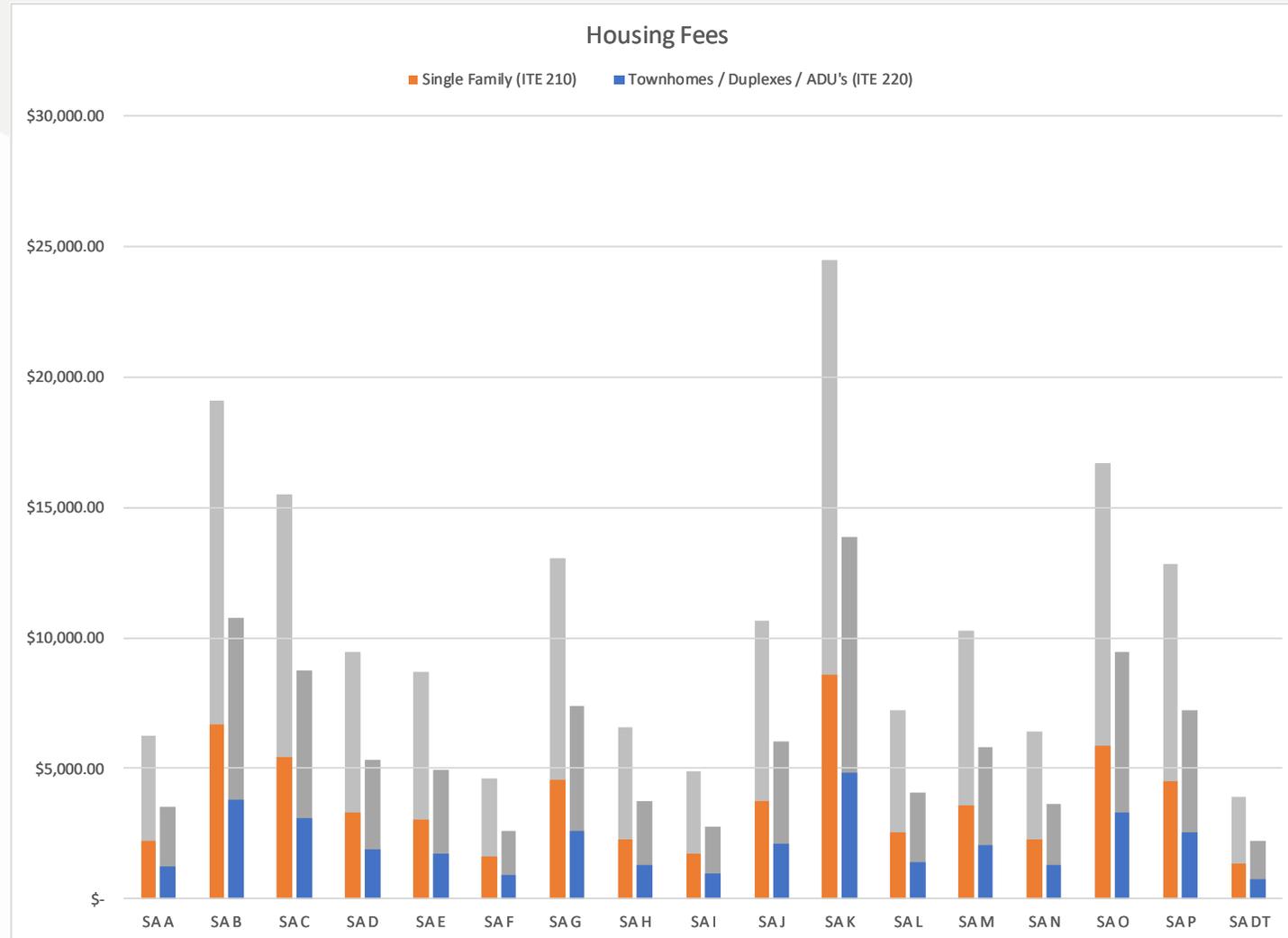
*Highest rate in Service Area K
 **Lowest rate in Service Area DT

DU = Dwelling Unit
 s.f. = square foot

Housing Fees

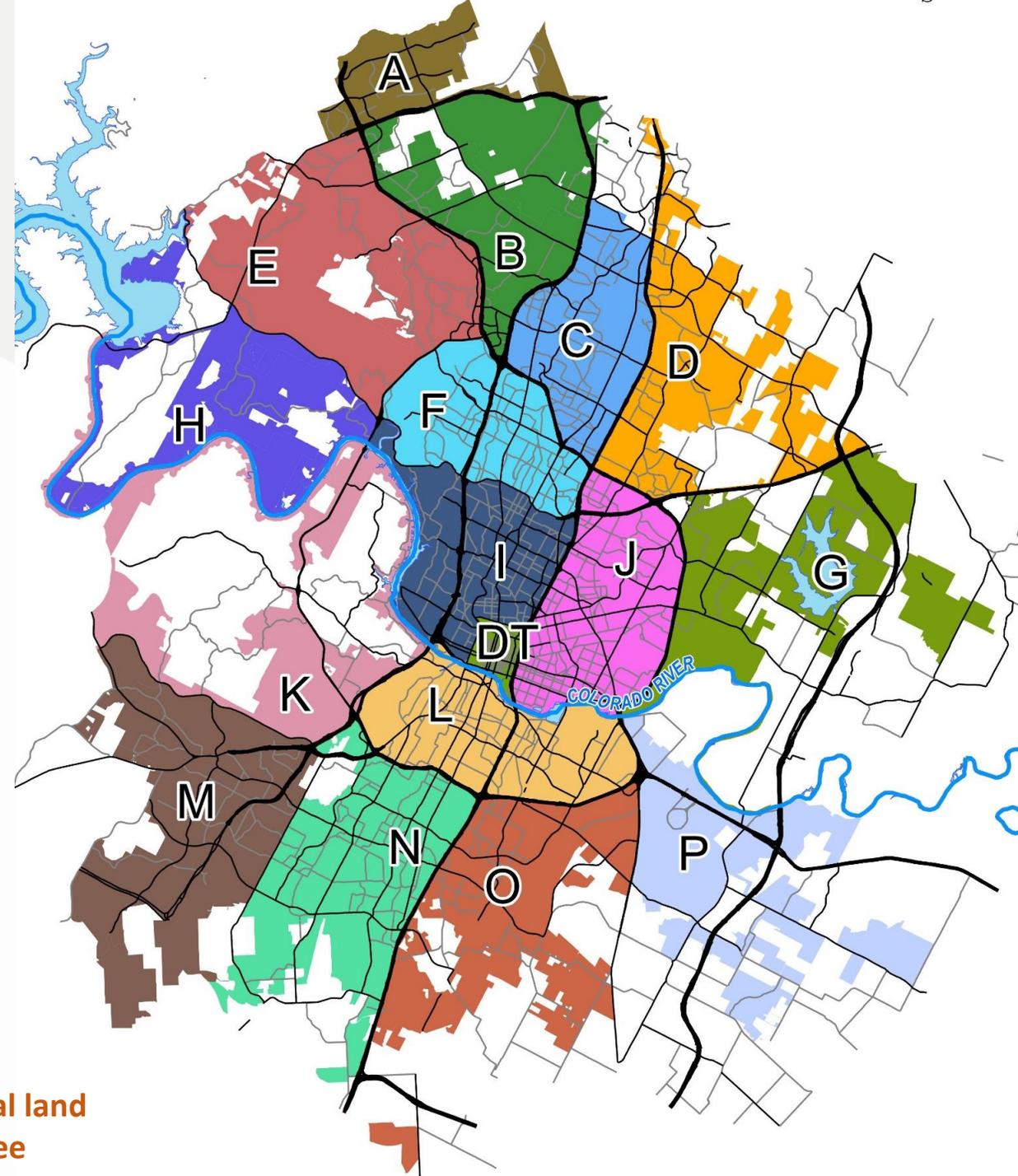


Service Area Map



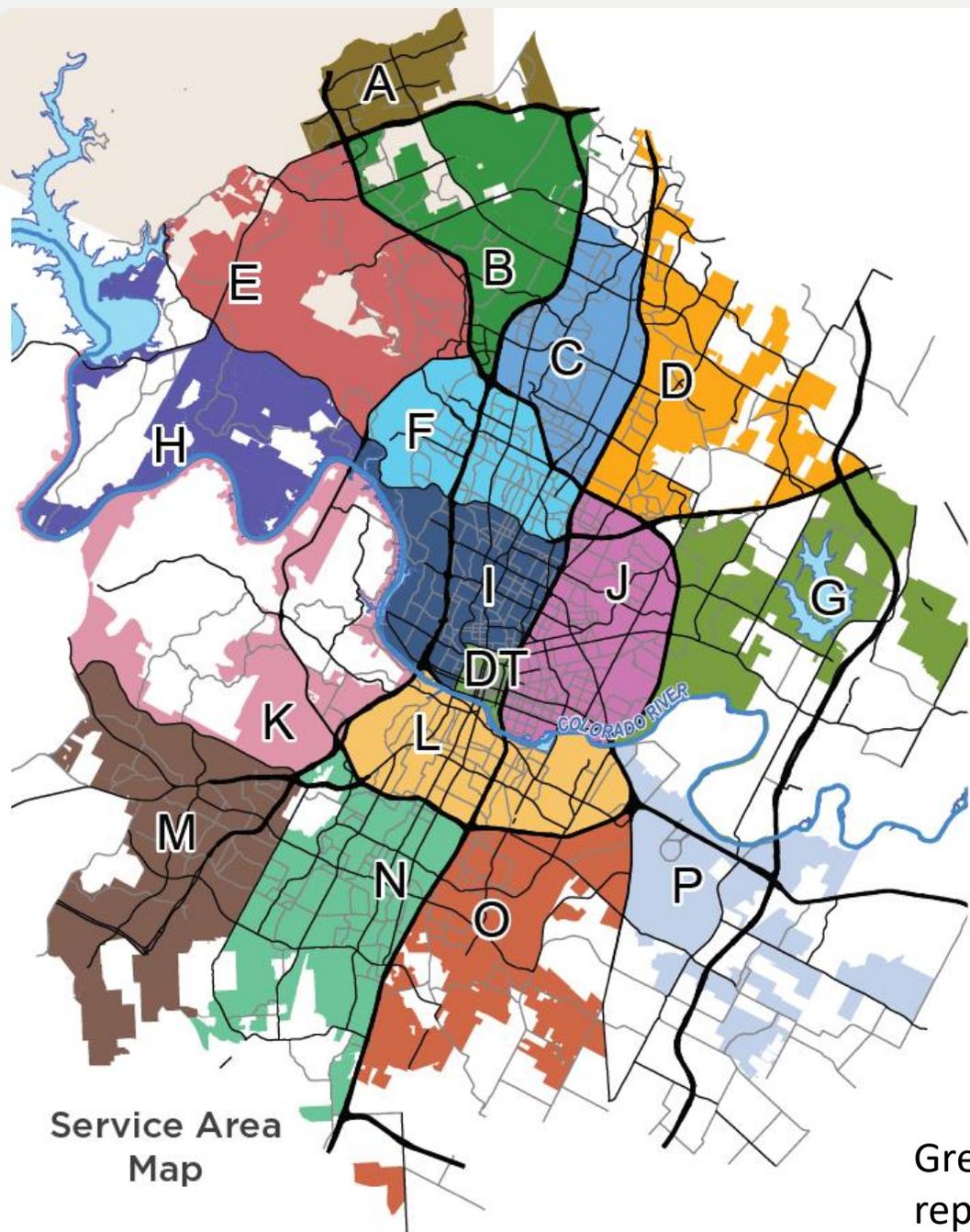
Grey represents maximum fees,
Blue/Orange represent IFAC recommended
collection rate (35% of maximum)

Service Area	Single Family (ITE 210) Collection Rate	Townhome / Duplex, ADUs or 1-2 Story Multi-Family (ITE 220) Collection Rate	Mid-Rise Apts & Condominiums 3 – 10 Stories (ITE 221) Collection Rate
A	\$2,194.75	\$1,241.63	\$973.73
B	\$6,678.19	\$3,778.04	\$2,962.86
C	\$5,430.22	\$3,072.03	\$2,409.18
D	\$3,307.04	\$1,870.88	\$1,467.21
DT	\$1,367.12	\$771.69	\$609.73
E	\$3,046.11	\$1,723.27	\$1,351.44
F	\$1,611.22	\$909.47	\$718.59
G	\$4,578.86	\$2,590.39	\$2,031.47
H	\$2,300.61	\$1,301.52	\$1,020.69
I	\$1,719.70	\$970.70	\$766.98
J	\$3,740.76	\$2,111.51	\$1,668.35
K	\$8,576.23	\$4,851.81	\$3,804.95
L	\$2,531.34	\$1,428.84	\$1,128.96
M	\$3,600.77	\$2,037.05	\$1,597.52
N	\$2,246.94	\$1,271.15	\$996.88
O	\$5,846.21	\$3,307.36	\$2,593.74
P	\$4,489.40	\$2,539.78	\$1,991.78



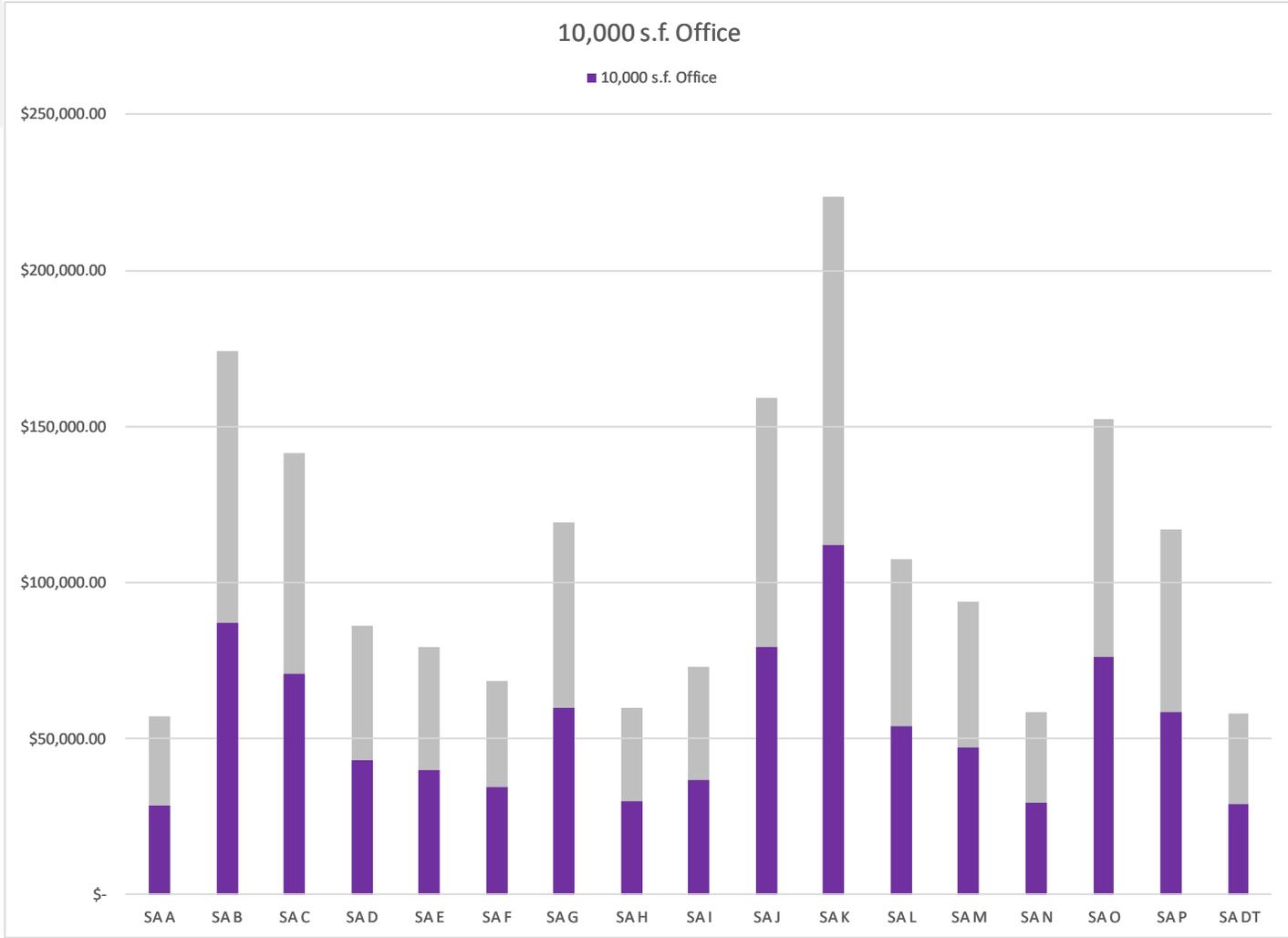
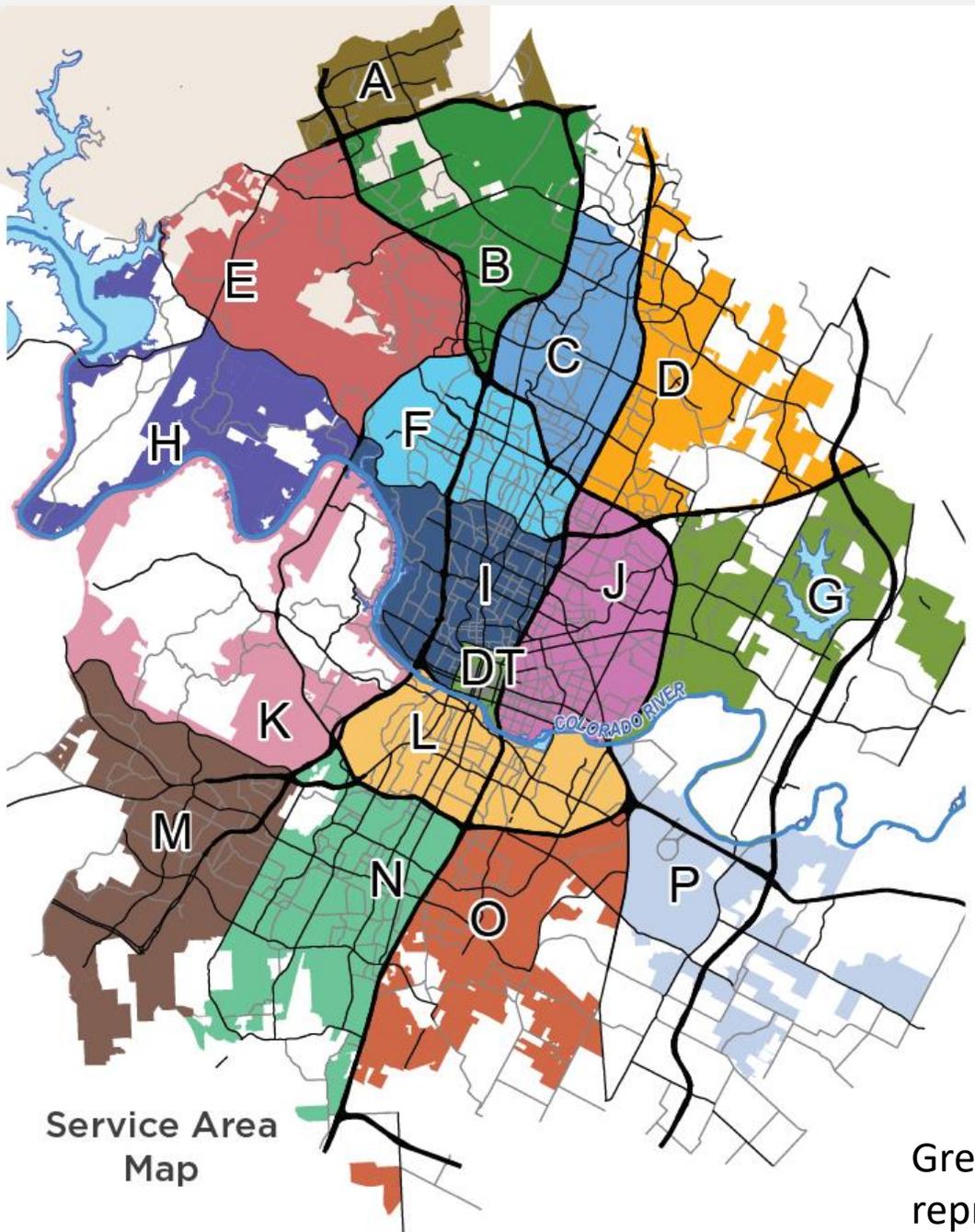
Note: \$ values shown reflect 35% of maximum for residential land uses as recommended by the Impact Fee Advisory Committee

3,000 s.f. Restaurant



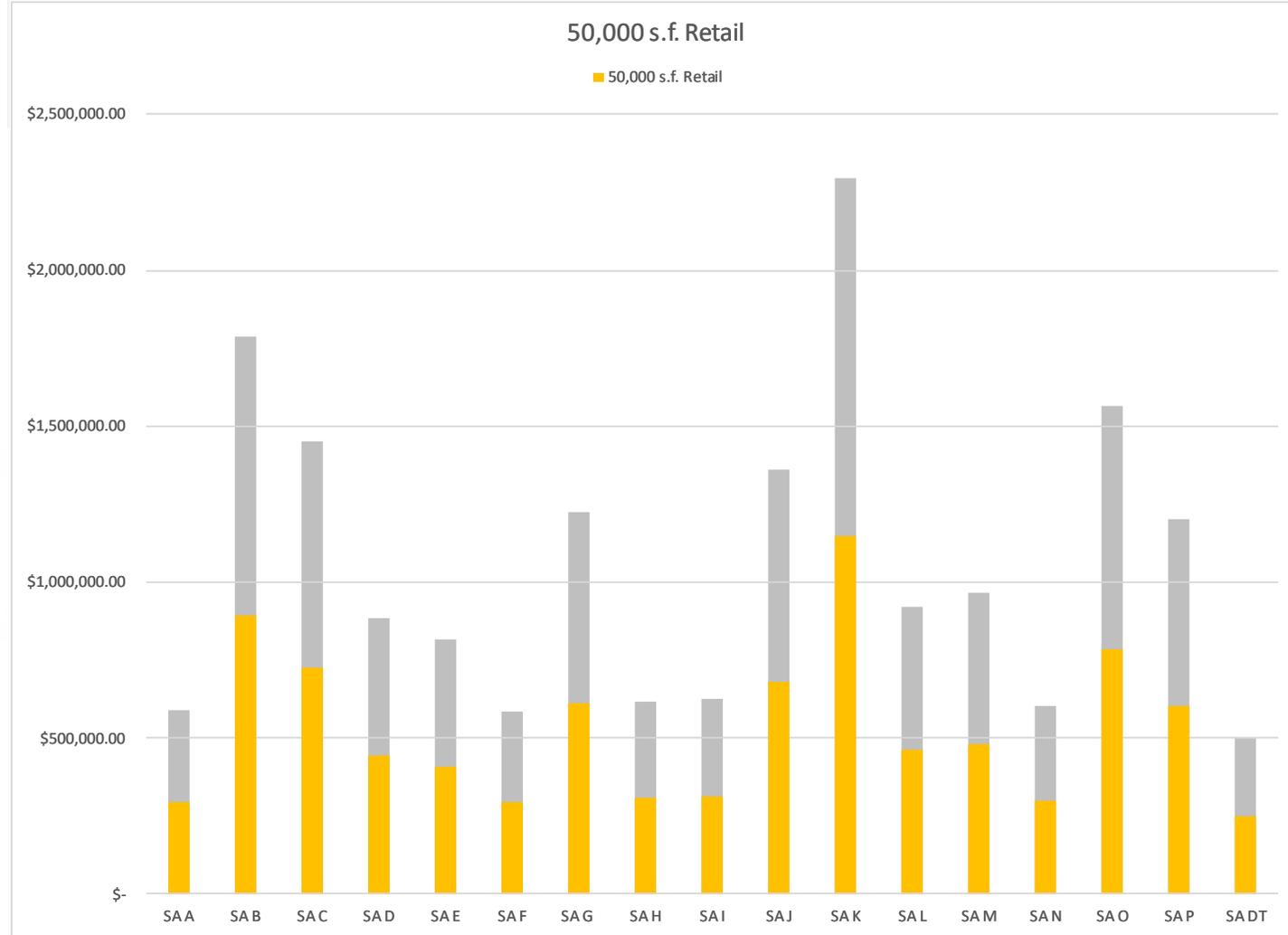
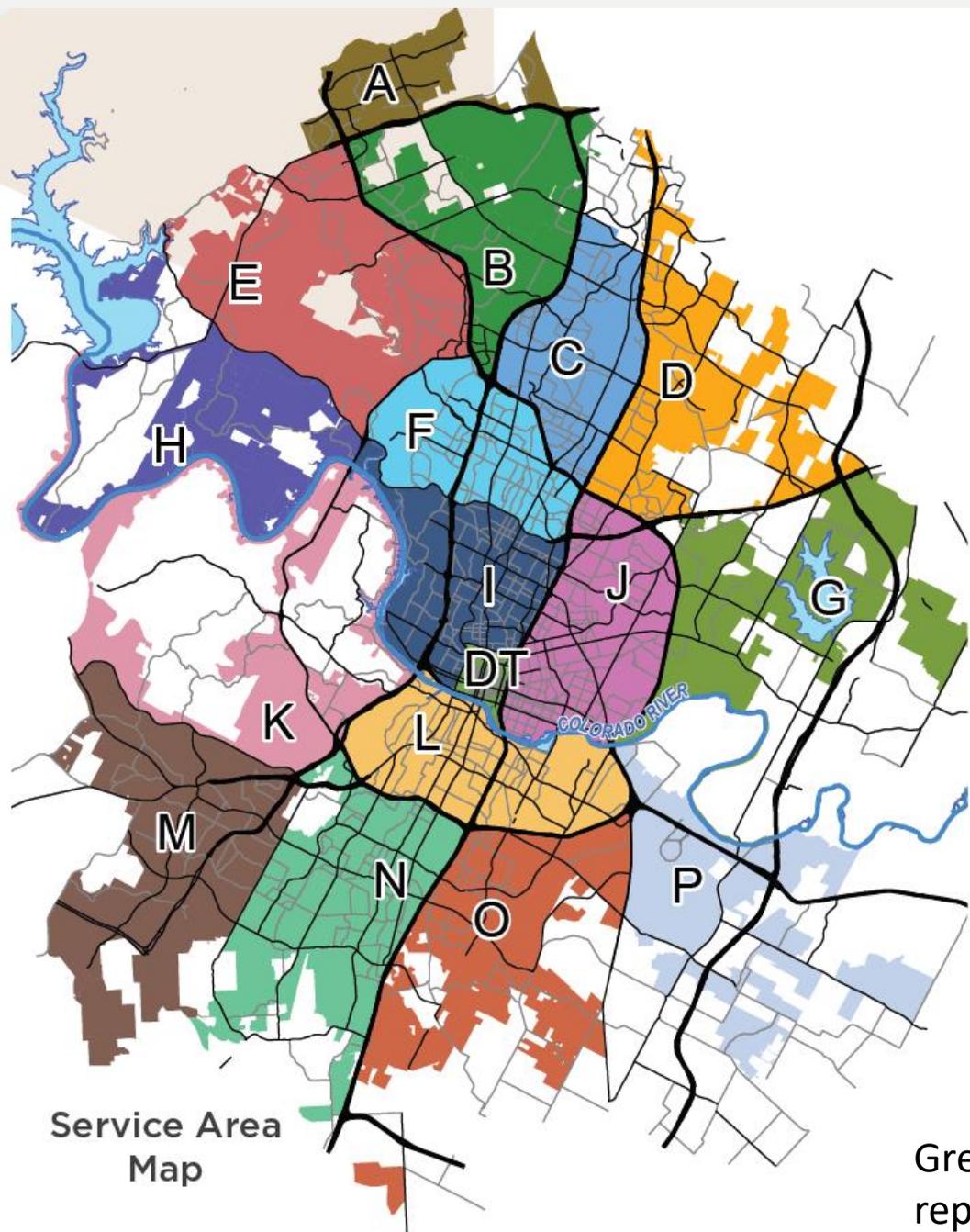
Grey represents maximum fees, Green represents IFAC recommended collection rate (50% of maximum)

10,000 s.f. Office



Grey represents maximum fees, Purple represents IFAC recommended collection rate (50% of maximum)

50,000 s.f. Retail



Grey represents maximum fees, Yellow represents IFAC recommended collection rate (50% of maximum)

Draft Fee Reductions

- Technical reductions (applies to whole site)
 - Internal capture (cap of 20% reduction from effective rate)
 - Transportation Demand Management (cap of 40% reduction from effective rate)
- Policy reductions (applies to specific land uses / units)
 - Affordable housing
- Maximum cumulative reduction (60% of effective rate)

Feedback

- Groups we've met with:

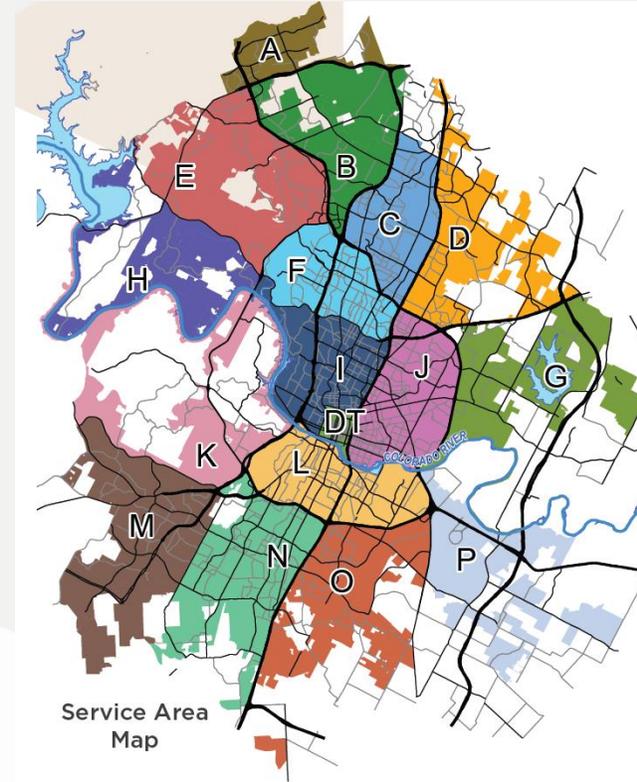
- Austin Chamber of Commerce
- Urban Land Institute
- Austin Infill Coalition
- Austin Neighborhoods Council
- Austin Contractors & Engineers Association
- American Institute of Architects Austin Chapter
- Real Estate Council of Austin
- Home Builders Association of Greater Austin
- Evolve Austin
- AURA
- Bicycle Advisory Council
- Texas Society of Professional Engineers, Travis Chapter
- Austin Housing Coalition

- What we've heard:

- Smaller and infill development concerns
- Encouraging ADUs
- Not wanting to disincentivize house-scale multifamily and missing middle
- Considering equity (historic underinvestment) & affordability
- Reductions for deeply affordable housing
- Encouraging sustainable transportation and meeting ASMP goals
- Current economic environment
- Wanting growth to pay for growth

Maximum Impact Fees & Revised Staff Recommended Rates

- Staff utilized IFAC’s percentage but used Citywide values
- 50% of maximum for non-residential uses
 - \$1,215 / vehicle-mile
- 35% of maximum for residential uses
 - \$850 / vehicle-mile
- Simplifies calculation and improves equity



Maximum Fee Scenario					
Land Use	Average	Median	Highest*	Lowest**	Unit
Single Fam	\$ 10,633	\$ 9,449	\$ 24,504	\$ 3,906	DU
Duplex/ADU	\$ 6,013	\$ 5,345	\$ 13,862	\$ 2,205	DU
Restaurant	\$ 41	\$ 36	\$ 86.80	\$ 20.47	s.f.
Office	\$ 11	\$ 9	\$ 22.38	\$ 5.73	s.f.
Retail	\$ 21	\$ 18	\$ 45.90	\$ 9.94	s.f.

Staff Recommended Rate			
Land Use	Outside Loop	Inside Loop	Unit
Single Fam	\$ 3,621	\$ 2,440	DU
Duplex/ADU	\$ 2,049	\$ 1,494	DU
Restaurant	\$ 14	\$ 14	s.f.
Office	\$ 8	\$ 7	s.f.
Retail	\$ 9	\$ 10	s.f.

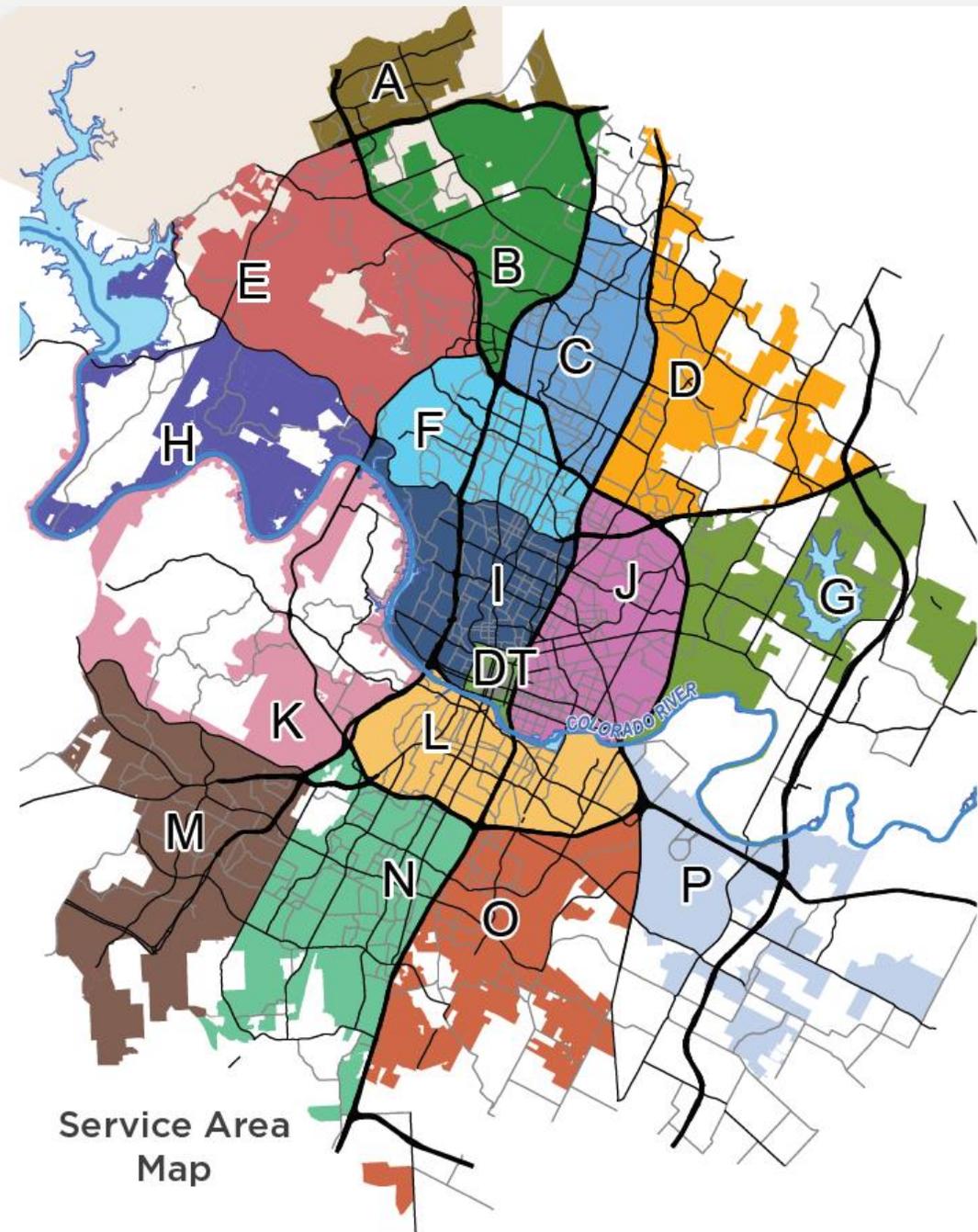
*Highest rate in Service Area K DU = Dwelling Unit
 **Lowest rate in Service Area DT s.f. = square foot

Inside Loop means Service Areas entirely contained within the highway boundaries of SH 71, US 183, and SL 360. (F, I,J,L,DT)

Revised Staff Recommended Rates

Service Area	Single Family (ITE 210)	Townhome / Duplex, ADUs or 1-2 Story Multi-Family (ITE 220)	Mid-Rise Apts & Condos 3 – 10 Stories (ITE 221)	3,000 s.f. Restaurant (ITE 931)	10,000 sf. Office (ITE 710)	50,000 s.f. Retail (ITE 820)
Outside Loop	\$3,621.00	\$2,048.50	\$1,317.50	\$55,003.05	\$47,263.50	\$484,785.00
Inside Loop	\$2,439.50	\$1,377.00	\$884.00	\$54,820.80	\$51,880.50	\$443,475.00

Inside Loop means Service Areas entirely contained within the highway boundaries of SH 71, US 183, and SL 360. (F, I,J,L,DT)

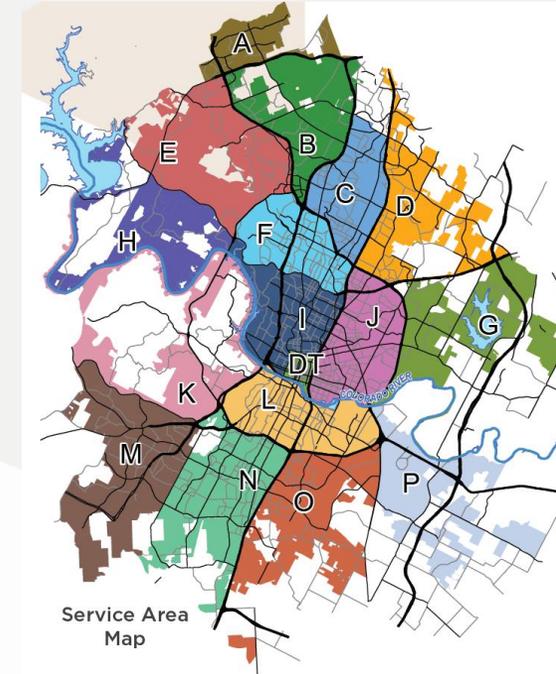


Service Area Map

Note: \$ values shown reflect 35% of citywide maximum for residential land uses and 50% citywide maximum for non-residential land uses. Does not include reductions.

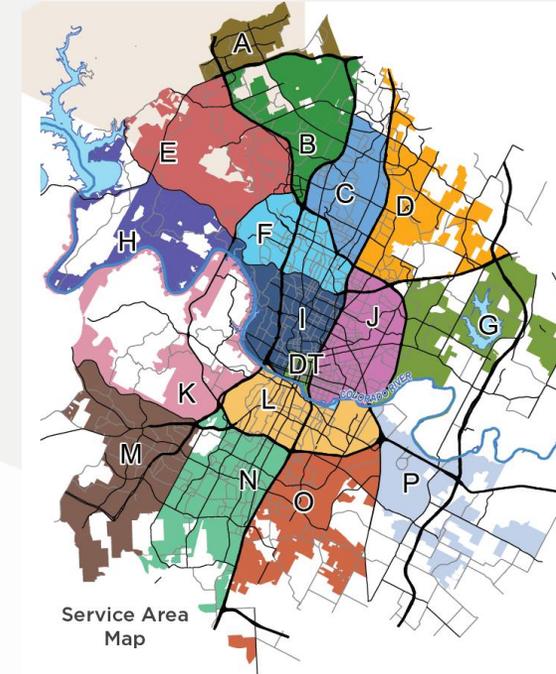
Collection Rate Comparisons – SA G

Austin Development	Austin Mitigation / TIA
298 Apartments	\$86,288
55,000 ft ² Office	\$317,388
397,000 ft ² Office 46,700 ft ² Restaurant 250 Apartment 100 Room Hotel	\$561,325
Single Family: 153 D.U. Office: 7,700 ft ² Retail: 7,700 ft ²	\$260,000



Collection Rate Comparisons – SA G

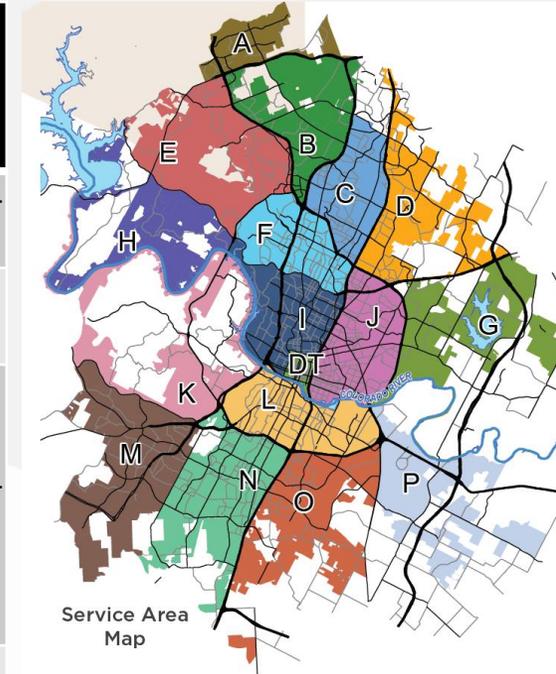
Austin Development	Austin Mitigation / TIA	Study Maximum	Draft Recommended	Revised Staff Recommended
298 Apartments	\$86,288	\$1,729,648	\$605,778	\$478,737
55,000 ft ² Office	\$317,388	\$657,040	\$328,520	\$259,949
397,000 ft ² Office 46,700 ft ² Restaurant 250 Apartment 100 Room Hotel	\$561,325	\$8,858,400 (\$8,415,480)	\$4,211,546 (\$4,000,968)	\$3,147,838 (\$2,990.447)
Single Family: 153 D.U. Office: 7,700 ft ² Retail: 7,700 ft ²	\$260,000	\$2,282,302	\$840,908	\$655,063
() 5% Internal Capture Reduction – NO OTHER REDUCTIONS APPLIED				



Service Area G is outside the loop.

Collection Rate Comparisons – SA G

Austin Development	Austin Mitigation / TIA	Study Maximum	Draft Recommended	Revised Staff Recommended	Round Rock ⁺	Frisco ⁺	Fort Worth ⁺	Prosper ⁺
298 Apartments	\$86,288	\$1,729,648	\$605,778	\$478,737	\$424,104	\$365,3488 - \$803,408	\$631,164	\$1,059,688 - \$1,397,620
55,000 ft ² Office	\$317,388	\$657,040	\$328,520	\$259,949	\$107,402	\$216,315 - \$475,915	\$177,870	\$214,005 - \$282,260
397,000 ft ² Office 46,700 ft ² Restaurant 250 Apartment 100 Room Hotel	\$561,325	\$8,858,400 (\$8,415,480)	\$4,211,546 (\$4,000,968)	\$3,147,838 (\$2,990.447)	\$1,566,632	\$2,395,819 - \$5,270,671	\$2,274,362	\$2,785,632 - \$3,674,050
Single Family: 153 D.U. Office: 7,700 ft ² Retail: 7,700 ft ²	\$260,000	\$2,282,302	\$840,908	\$655,063	\$1,051,057	\$375,130 - \$785,925	\$624,023	\$761,045 - \$1,003,832



+ Note: Comparison cities are collection rate.

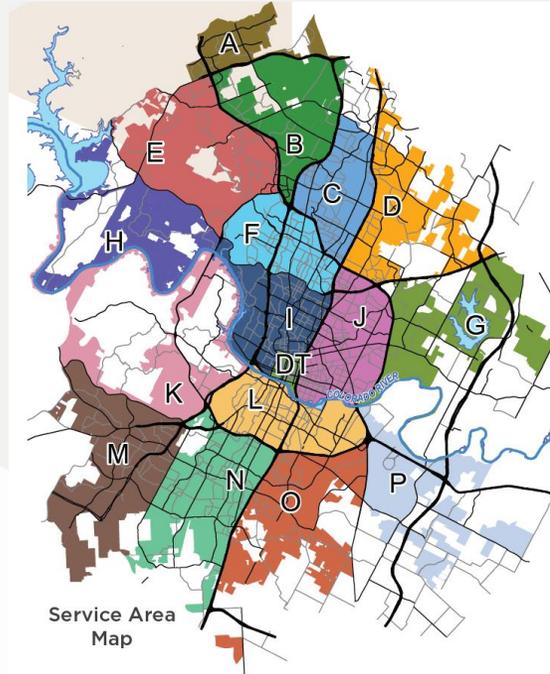
() 5% Internal Capture Reduction – NO OTHER REDUCTIONS APPLIED



Service Area G is outside the loop.

Collection Rate Comparisons – SA I

Austin Development	Austin Mitigation / TIA	Study Maximum	Draft Recommended	Revised Staff Recommended	Round Rock ⁺	Frisco ⁺	Fort Worth ⁺	Prosper ⁺
298 Apartments	\$86,288	\$653,025	\$228,560	\$324,224	\$424,104	\$365,3488 - \$803,408	\$631,164	\$1,059,688 - \$1,397,620
55,000 ft ² Office	\$317,388	\$402,063	\$201,031	\$285,343	\$107,402	\$216,315 - \$475,915	\$177,870	\$214,005 - \$282,260
397,000 ft ² Office 46,700 ft ² Restaurant 250 Apartment 100 Room Hotel	\$561,325	\$4,929,803 (\$4,683,312)	\$2,382,726 (\$2,263,590)	\$3,249,160 (\$3,086,702)	\$1,566,632	\$2,395,819 - \$5,270,671	\$2,274,362	\$2,785,632 - \$3,674,050
Single Family: 153 D.U. Office: 7,700 ft ² Retail: 7,700 ft ²	\$260,000	\$904,276	\$339,374	\$481,487	\$1,051,057	\$375,130 - \$785,925	\$624,023	\$761,045 - \$1,003,832



+ Note: Comparison cities are collection rate.

() 5% Internal Capture Reduction – NO OTHER REDUCTIONS APPLIED. Inside the Loop is anticipated to be higher.



Service Area I is inside the loop.

Fee Reductions - Revised

- Internal capture (cap of 20% reduction from effective rate)
- Transportation Demand Management (cap of 40% reduction from effective rate)
- Affordable housing (up to 100%)
- Infill units (100%)
- Building reuse (100%)
- Maximum cumulative reduction (100% from effective rate)

Draft Ordinance Elements - Reductions

- **Internal Capture / Mixed Use Reduction:** The amount of street impacts fees may be reduced by up to 20% for any new development where an accepted analysis demonstrates internal capture of a development will reduce vehicle trips from those contained in the adopted LUVMET.
- **Transportation Demand Management Reduction:** The amount of street impacts fees may be reduced by up to 40% for any new development where an accepted transportation demand management plan.

Draft Ordinance Elements - Reductions

Affordable Housing Reduction:

- New development will qualify for additional reductions if:
 - The development has entered into an agreement with the City to provide for affordable housing for at least fifteen years;
 - The developer has provided a letter from NHCD certifying the affordability levels and period of affordability; and
 - The development is utilizing transportation demand management approved by the director.
- If a development qualifies, the amount of street impact fees can be reduced by the following percentages:
 - The percentage of affordable units being provided if the new development is proposing at least 10 percent, but less than 20 percent, of the dwelling units are affordable;
 - Fifty percent if the new development is proposing at least 20 percent, but less than 50 percent, of the dwelling units are affordable; and
 - One hundred percent if the new development is proposing at least 50 percent of the dwelling units are affordable.

Draft Ordinance Elements - Reductions

- **Infill Units Reduction:** For existing residential land uses that add up to three additional dwelling units, an 100% reduction will be received if no additional parking is added.
- **Building Reuse Reduction:** Existing occupied buildings whose building is not being demolished and the total square footage is modified by less than 1,000 additional square feet will receive an 100% reduction for the original square footage and expansion of up to 1,000 square feet.
- **Reductions cumulative:** The reductions authorized under this section are cumulative so that a development that qualifies for the maximum reduction under each provision may reduce the amount of street impact fees up to one hundred percent.

Summary of Revised Staff Recommendations

Policy Topic	Recommendation
Effective Rate	50% of Citywide Maximum for Non-Residential land uses, 35% of Citywide Maximum for Residential land uses
Reduction – Internal Capture	Use ITE Methodology, capped at 20%
Reduction – Transportation Demand Management	Follow City procedures to determine, capped at 40%
Reduction – Affordable Housing	Tiered approach starting w/10% affordable units, also TDM plan
Reduction – Infill units	Up to 3 additional dwelling units and no parking, 100%
Reduction – Building Reuse	Previously occupied bldgs. <1,000 sq. ft. addition, 100%
Reductions Cumulative	Maximum reduction is 100%
Effective Date	Same as ordinance adoption, no collection of fees for 1 year

Additional Reductions Under Consideration

- **Creative Spaces Reduction** – studios, galleries, performance spaces receive up to 100% reduction
- **Small Business Reduction** – first 1,000 square feet of specific non-residential land uses (retail, medial, services, institutional) receives 100% reduction

Draft Ordinance

- Amends Chapter 25-6. - Transportation
 - Creates Article 9. Street Impact Fees
- Division 1. - General Provisions.
 - § 25-6-657 - APPLICABILITY.
 - § 25-6-658 - DEFINITIONS.
 - § 25-6-659 - ADOPTIONS BY SEPARATE ORDINANCE. ← Fee schedule & Study adopted by separate ordinance
 - § 25-6-660 - ACCOUNTS.
- Division 2. - Fee Established.
 - § 25-6-661 - ASSESSMENT AND COLLECTION OF IMPACT FEES AUTHORIZED.
 - § 25-6-662 - ASSESSMENT OF STREET IMPACT FEES.
 - § 25-6-663 - AMOUNT OF FEE: COLLECTION RATE.
 - § 25-6-664 - COMPUTATION OF IMPACT FEES TO BE COLLECTED.
- Division 3. - Determination of Service Units.
 - § 25-6-665 – ALTERNATIVE CALCULATION OF SERVICE UNITS.
- Division 4. - Reductions and Offsets.
 - § 25-6-666 - REDUCTION ON COLLECTION OF STREET IMPACT FEES.
 - § 25-6-667 - OFFSETS AGAINST STREET IMPACT FEES.

Next Steps

- Continue public meetings and information on draft ordinance and policy considerations
- Public meeting (virtual) – **July 21**
- Council Public hearing – **July 30**
- Ordinance approval
- Development of administrative procedures

More Information

austintexas.gov/streetimpactfee

- Study Final Report
 - “101” one-pagers on study elements
 - Status Reports to Mayor and Council
 - FAQs
 - Upcoming meetings
- Sign-up for updates
 - Request a presentation
 - Impact Fee Advisory Committee meetings



The City of Austin is proposing to develop and implement a Street Impact Fee Program. A Street Impact Fee would be a charge assessed on new development to pay for the construction or expansion of roadway facilities that are necessitated by and benefit that new development.

In August 2016, the City hired a consultant to assist with the technical analysis required by Chapter 395 of the Texas Local Government Code to determine the maximum assessable Street Impact Fee. Ultimately, City Council would consider adoption of an ordinance establishing the Street Impact Fee and the policies related to administering the program. The City anticipates presenting a proposed policy to Council in 2020. Staff will provide briefings and updates to Council, hold public hearings and engage in stakeholder outreach throughout the process.

CALCULATING THE MAXIMUM IMPACT FEE

The purpose of the City of Austin's Street Impact Fee Study is to determine the maximum assessable impact fee per unit of new development as allowed by Chapter 395 of the Texas Local Government Code. The maximum assessable fee is a technical calculation that includes a Service Area's 10-year anticipated growth and the identified planned roadway improvements within the Service Area, listed in the Roadway Capacity Plan (RCP) and Austin Strategic Mobility Plan (ASMP).

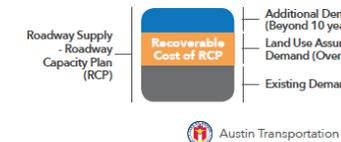
The Impact Fee Study report will provide the City Council with the maximum allowable roadway impact fee that could be assessed by the City of Austin. Following public review, discussion and a public hearing process, the City Council may establish an amount to be assessed (if any) up to the maximum established within the report and adopt a street impact fee ordinance accordingly. The ordinance would determine the actual collected fee (effective rate) as well as policies that could allow a reduction in the assessed or collected fee, referred to as Offsets and Discounts.

What are Offsets?
Fees would be offset by system improvements that are built by development. The implementation of offsets will be outlined in the report.

What are Discounts?
Additional discounts for different development types that further objectives, such as housing and transit development, could be included in the report.

HOW IMPACT FEES ARE CALCULATED

Maximum Impact Fees per Service Unit (per vehicle-mile), calculated by determining the cost of the 10-year RCP attributable to new growth. This is determined by looking at the supply by the RCP and removing existing demand (current traffic), supply that won't be needed in the next 10 years, based on Use Assumptions for growth. This proportion of the RCP is "recoverable cost of the RCP." The maximum impact fee is simply the Recoverable Cost of the RCP divided by the net units of demand from the growth projections.



CREDITS AND FINANCING

The recoverable cost of the RCP is refined to account for credits to developer's past contributions to transportation and anticipated valorem taxes from new development. The cost is also refined to add costs for the debt incurred to finance the projects and reduced for the interest earnings expected on the debt.

IMPACT FEE RESULTS

Includes Townhome/Duplex Equivalent Maximum Fee



TO LEARN MORE, VISIT austintexas.gov/streetimpactfee

Contact:
Public Information Office
Austin Transportation Department
Office: (512) 974-8000
ATDPIO@austintexas.gov

$$\text{Maximum Impact Fee Per Service Unit} = \frac{\text{Recoverable Cost of the RCP (\$)}}{\text{New Service Units of Demand}}$$

Service Area	Determined by Study		Determined by Council
	Maximum Fee Per Service Unit (per vehicle mile)	Equivalent Maximum Fee Per Townhome/Duplex*	Collection Rate Per Service Unit** (per vehicle mile)
A ²	\$ 1,472	\$ 3,548*	\$ TBD**
B ²	\$ 4,479	\$ 10,974*	\$ TBD**
C ²	\$ 3,642	\$ 8,777*	\$ TBD**
D ²	\$ 2,218	\$ 5,345*	\$ TBD**
DT ¹	\$ 1,361	\$ 2,205*	\$ TBD**
E ²	\$ 2,043	\$ 4,923*	\$ TBD**
F ²	\$ 1,604	\$ 2,599*	\$ TBD**
G ²	\$ 3,071	\$ 7,402*	\$ TBD**
H ²	\$ 1,543	\$ 3,719*	\$ TBD**
I ¹	\$ 1,712	\$ 2,773*	\$ TBD**
J ¹	\$ 3,724	\$ 6,033*	\$ TBD**
K ²	\$ 5,752	\$ 13,862*	\$ TBD**
L ¹	\$ 2,520	\$ 4,082*	\$ TBD**
M ²	\$ 2,415	\$ 5,820*	\$ TBD**
N ²	\$ 1,507	\$ 3,632*	\$ TBD**
O ²	\$ 3,921	\$ 9,449*	\$ TBD**
P ²	\$ 3,011	\$ 7,258*	\$ TBD**

1 - INSIDE "THE LOOP" Trip Length for Single Family House is 2.83 miles
2 - OUTSIDE "THE LOOP" Trip Length for Single Family House is 4.30 miles

* One or two levels (floors) per building such as duplex, townhomes, and single family houses < 1,200 SF

** Must be less than or equal to maximum impact fee as determined by the Study

Questions

Liane Miller, AICP
Austin Transportation
liane.miller@austintexas.gov
512.974.7922

**AN ORDINANCE AMENDING CITY CODE CHAPTER 25- 6
(TRANSPORTATION) ADDING A NEW ARTICLE 9 ESTABLISHING A
STREET IMPACT FEE PROGRAM**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Chapter 25-6 (Transportation) is amended to add a new Article 9 establishing a street impact fee program and to read as follows

ARTICLE 9. STREET IMPACT FEES

Division 1. - General Provisions.

§ 25-6-657 - APPLICABILITY.

This Article applies to development within the corporate boundaries of the City.

§ 25-6-658 – DEFINITION.

(A) In this Article:

- (1) **ASSESSMENT** means the amount of the maximum street impact fee per service unit imposed on new development.
- (2) **CAPITAL IMPROVEMENT** means a roadway facility with a life expectancy of at least three years, to be owned and operated by or on behalf of the City including a newly constructed roadway facility or the expansion of an existing roadway facility necessary to new development.
- (3) **DEVELOPMENT UNIT** is a measure of each land use used to determine number of service units. The development unit is identified in the Land-Use, Vehicle-Mile Equivalency Table.
- (4) **FINAL PLAT APPROVAL** means when the plat has been released by the City for filing with the County. This term applies to both original plats and replats.
- (5) **IMPACT FEE**, also known as “Street Impact Fee”, means a fee, charge, or assessment for roadway facilities imposed on new development by the City to recoup all or part of the costs of capital improvements or facility expansion necessitated by and attributable to such new development.
- (6) **LAND USE ASSUMPTIONS** mean a description of the service areas and the projections of population and employment growth and associated changes in land uses, densities and intensities adopted by the City.

- (7) LAND USE, VEHICLE-MILE EQUIVLENCY TABLE (“LUVMET”) are tables set forth in Street Impact Fee Study that provide the standardized measure of use of roadway facilities attributable to a new development, in terms of vehicle miles per development unit.
- (8) MAXIMUM STREET IMPACT FEE means the impact fee that is established for each service area. The maximum assessable street impact fee shall be established and reflected in Street Impact Fee Study.
- (9) NEW DEVELOPMENT means a project which requires either the approval of a plat or the issuance of a building permit.
- (10) OFFSET or OFFSETS means the amount of the reduction of an impact fee to reflect the value of any construction of, contributions to, or dedications of a system facility identified on the roadway capacity plan.
- (11) RECOUP means to reimburse the City for capital improvements which the city has previously installed or caused to be installed.
- (12) ROADWAY CAPACITY PLAN (“RCP”) identifies the capital improvements or roadway facility expansions and associated costs for each service area that are necessitated by and which are attributable to new development within the service area, for up to ten years.
- (13) ROADWAY FACILITY means an improvement or appurtenance to a street.
- (14) SERVICE AREA(S) means the geographic area(s) within the City's corporate limits and within which geographic area(s) street impact fees for capital improvements will be collected for new development.
- (15) SERVICE UNIT or Vehicle Mile means one vehicle mile of travel in the afternoon peak hour of traffic.

§ 25-6-659 - ADOPTIONS BY SEPARATE ORDINANCE.

The Street Impact Fee Study including land use assumptions, designation of the Street Impact Fee service areas, capacity improvement plan, and the vehicle-mile equivalency table shall be adopted by separate ordinance.

§ 25-6-660 - ACCOUNTS.

- (A) The Manager will establish accounting controls to ensure compliance with Section 395.024 of the Texas Local Government Code.
- (B) The Manager will establish separate interest-bearing accounts for impact fees collected for each street impact fee service area.
- (C) Funds may be disbursed as reasonably necessary to carry out the purposes of this Article within a reasonable period, but not to exceed 10 years from the date the fee is deposited into the account.

- (D) The Manager will keep financial records for street impact fees showing the source and disbursement of all fees collected in or expended from each service area:
- (1) the street impact fees collected may be used to finance, pay for, or recoup the costs of any roadway facility identified in the roadway capacity plan for the service area;
 - (2) street impact fees may be used to pay for the contract services of an independent qualified engineer or financial consultant; or
 - (3) Street impact fees may 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.
- (E) A street impact fee, or portion thereof, which has not been expended within ten years from the date of payment may be refunded, upon application, to the record owner of the property, at the time of application, or governmental entity that paid the original street impact fee:
- (1) the refund shall include interest calculated from the date of collection to the date of refund at the statutory rate; and
 - (2) the application for refund must be written and submitted to the City within 60 days after the expiration of the ten-year period for expenditure of the fee.

Division 2. – Fee Established.

§ 25-6-661. - ASSESSMENT AND COLLECTION OF IMPACT FEES AUTHORIZED.

The Manager shall collect the street impact fee on new development in accordance with this Article and Chapter 395 of the Texas Local Government Code.

§ 25-6-662. - ASSESSMENT OF STREET IMPACT FEES.

- (A) For a new development which has received final plat approval before August 10, 2020, assessment of impact fees shall occur on August 10, 2020.
- (B) If the new development has not yet received final plat approval, then the assessment shall occur at the time of final plat approval.
- (C) All assessments of street impact fees shall be the amount of the maximum street impact fee per service unit as set forth in adopted Street Impact Fee Study in effect.
- (D) The assessment of a street impact fee to new development shall be considered the written determination of an applicant's share of infrastructure costs as required under City Code Section 25-6-23. The amount of street impact fees assessed may be used in evaluating any claim by an applicant that the infrastructure improvements required in conjunction with approval of the development application is not roughly proportionate to the proposed development.

§ 25-6-663 - AMOUNT OF FEE: COLLECTION RATE.

- (A) The amount of the impact fee to be assessed for each service unit and the amount of the impact fee to be collected for each service unit shall be set by separate ordinance.
- (B) A street impact fee shall not be collected on any application for new development before August 10, 2021.
- (C) Except as provided in Subsection (B), street impact fees shall be collected before the issuance of a building permit. The Manager may enter into an agreement with a developer for a different time and manner of payment of street impact fees.

§ 25-6-664 - COMPUTATION OF IMPACT FEES TO BE COLLECTED.

- (A) The City shall compute the amount of street impact fees to be paid and collected for new development in the following manner:
 - (1) determine the number of development units for each land use category using the LUVMET then in effect;
 - (2) multiply the number of development units for each land use category in the new development by the service unit for each corresponding land use category in the LUVMET to determine the number of service units attributable to the new development; and
 - (3) multiply the number of service units for the new development by the street impact fee per service unit for the applicable service area and applicable land use.
- (B) If an agreement as described in City Code Section 25-6-667 (*Offsets Against Street Impact Fees*) providing for offsets exists, the amount of the offsets shall be deducted from the street impact fees as calculated above.
- (C) If the property owner proposes to increase the number of service units for a development that has already paid a street impact fee, the additional street impact fees collected for such new service units shall be determined by using the LUVMET.
- (D) Any additional fees shall be measured by the increase in the number of service units proposed from the number of service units from the preceding land use within the last five years.
- (E) If a building permit application is for a “shell” or speculative building, the amount of the street impact fee will be calculated assuming that the entire building will be used as either “General Office”, “Light Industrial”, or “Shopping Center” as shown in the LUVMET. When a subsequent application for a building permit is submitted, an additional street impact fee shall be calculated if the proposed use results in an increase of service units.

Division 3. – Determination of Service Units.

§ 25-6-665 – ALTERNATIVE CALCULATION OF SERVICE UNITS.

If an equivalent land use is not found in the LUVMET for the proposed development, an applicant may submit an alternative service unit computation, based upon a trip generation study as defined by the Institute of Transportation Engineers. If acceptable, the City may use the alternative service unit computation to calculate the street impact fee.

Division 4. – Reductions and Offsets.

§ 25-6-666 - REDUCTION ON COLLECTION OF STREET IMPACT FEES.

- (A) An applicant may request that the amount of street impact fees be reduced if the proposed new development meets the criteria for a reduction as authorized in this Section.
- (B) The amount of street impacts fees may be reduced by up to 20% for any new development where an accepted analysis demonstrates internal capture of a development will reduce vehicle trips from those contained in the adopted LUVMET.
- (C) The amount of street impacts fees may be reduced by up to 40% for any new development that utilizes an accepted transportation demand management plan.
- (D) New development will qualify for additional reductions if:
 - (1) The development has entered into an agreement with the City to provide for affordable housing for at least fifteen years;
 - (2) The developer has provided a letter from NHCD certifying the affordability levels and period of affordability; and
 - (3) The development is utilizing transportation demand management approved by the director.
- (E) If a development qualifies under Subsection (D), the amount of street impact fees can be reduced by the following percentages:
 - (1) The percentage will be the equivalent of affordable units being provided if the new development is proposing at least 10 percent, but less than 20 percent, of the dwelling units are affordable;

- (2) Fifty percent if the new development is proposing at least 20 percent, but less than 50 percent, of the dwelling units are affordable; or
 - (3) One hundred percent if the new development is proposing at least 50 percent of the dwelling units are affordable.
- (F) For existing residential land uses that add up to three additional dwelling units, an 100% reduction will be received if no additional parking is added.
- (G) Existing occupied buildings whose building is not being demolished and the total square footage is modified by less than 1,000 additional square feet will receive an 100% reduction for the original square footage and expansion of up to 1,000 square feet.
- (H) The reductions authorized under this section are cumulative so that a development that qualifies for the maximum reduction under each provision may reduce the amount of street impact fees due up to one hundred percent.

§ 25-6-667 - OFFSETS AGAINST STREET IMPACT FEES.

- (A) The City may offset the improvements or funding for construction of any system facility included on the roadway capacity plan that is required or agreed to by the City, pursuant to rules established in this section and administrative guidelines:
- (1) the roadway facility shall be associated with the plat or other detailed plan of development for the property that is to be served by the roadway facility; no offset shall be given for the dedication or construction of site-related facilities;
 - (2) no offset shall be given for a roadway facility which is not identified within the roadway capacity plan, unless the facility qualifies for inclusion on the roadway capacity plan;
 - (3) the City's cost participation in the construction of a system facility on the roadway capacity plan shall not be considered an offset;
 - (4) no offsets shall be granted for the dedication of rights-of-way and easements as required by this Chapter;
 - (5) construction of capital improvements must be completed and accepted by the City in order to qualify as an offset with the following limitations:

- (a) construction that occurred before August 10, 2020 will only be qualify as an offset until August 10, 2030;
 - (b) construction that begins after August 10, 2020 will qualify as an offset for ten years from the date the improvement is completed and accepted by the City unless the applicant requests an extension.
- (B) Before street impact fees can be reduced by offsets authorized under this section, the owner of the property shall enter into an agreement with the City determining the allocation of the offsets. Unless the agreement specifies otherwise, an offset associated with a plat shall be applied when the first building permit is submitted and to each subsequent building permit application to reduce street impact fees due until the amount associated with offset is exhausted.
- (C) For multi-phased projects, the City may require that total offsets be proportionally allocated among phases within the project.