



## AGENDA

### CAPITAL IMPROVEMENT ADVISORY COMMITTEE JUNE 2, 2016 @ 7:00 P.M.

Notice is hereby given; the Capital Improvement Advisory Committee for the City of Parker will hold a Regular Meeting on Thursday, June 2, 2016 at 7:00 P.M. at Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002.

#### CALL TO ORDER – Roll Call and Determination of a Quorum

#### PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: I pledge allegiance to the flag of the United States of America; and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all.

TEXAS PLEDGE: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

#### PUBLIC COMMENTS

The Commission invites any person with business before the Commission to speak. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

#### ROUTINE ITEMS

1. WORK SESSION TO DISCUSS LAND USE ASSUMPTIONS ON LAND USE, ZONING, POPULATION, DENSITY SERVICE AREAS, GROWTH PATTERNS, AND BUILD OUT AND RELATED MATTERS RELATED TO LAWFUL IMPACT FEES.
2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON WORK SESSION.
3. FUTURE AGENDA ITEMS
4. ADJOURN

In addition to any specifically identified Executive Sessions, the Planning and Zoning Commission may convene into Executive Session at any point during the open meeting to discuss any item posted on this Agenda. The Open

Meetings Act provides specific exceptions that require that a meeting be open. Should Commission elect to convene into Executive Session, those exceptions will be specifically identified and announced. Any subsequent action, as a result of this Executive Session, will be taken and recorded in open session.

I certify that this Notice of Meeting was posted on or before May 27, 2016 by 5:00 p.m. at the Parker City Hall.

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Date Notice Removed

Patti Scott Grey, City Secretary

The Parker City Hall is Wheelchair accessible. Sign interpretations or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972-442-6811.



## Council Agenda Item

Budget Account Code:	Meeting Date: May 12, 2016
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: Flanigan
Estimated Cost:	Date Prepared:
Exhibits:	<ul style="list-style-type: none"><li>1. Nuts and Bolts of Impact Fee's</li><li>2. Acreage Map</li><li>3. Population History</li></ul>

### AGENDA SUBJECT

#### WORKSESSION WITH CAPITAL IMPROVEMENT ADVISORY COMMITTEE

### SUMMARY

The role of the advisory committee is to advise and assist in the preparation of the land use assumptions that will, in turn, be used in the preparation of the capital improvement plan.

The process is to analysis existing conditions;

1. Population, density, zoning classifications, and land use.
2. Determine service area (City Limits/ ETJ)
3. Project 10 year growth patterns
4. Build-out projections

### RECOMMENDED ACTION

Inter - Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:		Date:	

**The Nuts and Bolts of  
IMPACT FEES**

**A. Origin of Impact Fees**

The authority of local governments to adopt impact fees originated in 1987. During the 70th Legislature, Regular Session, the Legislature adopted S.B. 336, which was included in Vernon's Texas Civil Statutes as Article 1269j-4.11. These provisions were later codified as Chapter 395, Texas Local Government Code, and have been amended numerous times since then. Prior to the adoption of these statutory provisions, similar exactions whereby municipalities attempted to "make growth pay for itself" were imposed under the names of "capital recovery fees," "community impact fees," or "escrow fees." However, with the adoption of S.B. 336, governmental entities may only enact and impose impact fees in accordance with these statutory provisions. Also, § 395.074 provides that any impact fee in place on June 20, 1987, must be replaced by an impact fee adopted under Chapter 395, and such replacement had to be accomplished on or before June 20, 1990.

**B. Geographic Application of Fees**

Covered political subdivisions may impose impact fees on land within their corporate boundaries or extraterritorial jurisdiction ("ETJ") by complying with the chapter, but fees may not be imposed in the ETJ for roadway facilities. (Tex. Local Gov't Code § 395.011(b) (West 2005). However, a city may contract to provide capital improvements, except roadway facilities, to an area outside its city limits and ETJ, and may charge an impact fee under the contract, but if an impact fee is charged in that area the city must comply with Chapter 395. ( Tex. Local Gov't Code § 395.011(c) (West 2005).

**1. Use of Impact Fees**

The guiding principle of impact fees is that growth should pay for itself. Rather than burdening existing citizens and taxpayers with the cost of infrastructure needed to serve new development, the developers will pay for a share of that cost.

Impact fees can only be used for purposes specified in Chapter 395. These purposes are capital improvement costs "necessitated by and attributable to" 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. Tex. Local Gov't Code §395.001(4) (West 2005). The defined terms in Chapter 395 are very important, and must be closely examined in order to determine the validity of the proposed use of the impact fee funds.

Impact fees by any other names may still be impact fees, and are still covered by Chapter 395. *Black v. City of Killeen*, 78 S.W.3d 686, 697-698 (Tex. App.—Austin, 2002, review denied). However, a fee assessed by local ordinance is not an impact fee merely because it is greater than the actual cost associated with the service for which it is assessed. And, unless the revenues generated from the city's water and sewer tap fees are actually used for capital improvements, they also are not impact fees. *Id.*

"Amortized charges", "lump-sum charges", "capital recovery fees", "contributions in aid of construction", and any other fee that functions like an impact fee is considered to be an impact fee. Tex. Local Gov't Code § 395.001(4) (West 2005).

However, “impact fee” does not include:

- (i) dedication of land for public parks or payment in lieu of the dedication to serve park needs;
- (ii) dedication of right-of-way or easements or construction or dedication of on-site or off-site water distribution, wastewater collection or drainage facilities, or streets, sidewalks, or curbs if the dedication or construction is required by a valid ordinance and is necessitated by and attributable to the new development;
- (iii) lot or acreage fees to be placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water or sewer mains or lines; or
- (iv) other pro rata fees for reimbursement of water or sewer main or lines extended by the political subdivision.

Specific items are payable by revenues obtained from the impact fee. The costs of constructing capital improvements or facility expansions are, of course, eligible to be paid from the impact fee. These costs include, and are limited to, the construction contract price, surveying and engineering fees, land acquisition costs (including land purchases, court awards and costs, attorneys’ fees, and expert witness fees), and fees actually paid or contracted to be paid to an independent qualified engineer or financial consultant preparing or updating the capital improvements plan who is not an employee of the political subdivision. Tex. Local Gov’t Code § 395.012(a) (West 2005).

Projected interest charges and other finance costs may also be included in determining the amount of impact fees only if the impact fees are actually used to pay the principal and interest on bonds, notes, or other obligations of the political subdivision to finance the capital improvements or facility expansions identified in the capital improvements plan. Tex. Local Gov’t Code § 395.012(b) (West 2005). A specific exemption to the requirement that the engineer must not be employed by the political subdivision is provided for the Edwards Underground Water District or a river authority that is authorized by state law to charge fees that function as impact fees. Tex. Local Gov’t Code § 395.012(c) (West 2005).

### **C. Prohibited Uses of Impact Fees**

As a general rule, the key words to keep in mind when determining whether a proposed use of impact fees is allowed are: “capital improvements,” “new,” and “capital improvements plan.” Chapter 395 specifically identifies prohibited uses of impact fee revenues:

- (i) construction, acquisition, or expansion of public facilities or assets other than capital improvements or facility expansion identified in the capital improvements plan;
- (ii) repair, operation, or maintenance of existing or new capital improvements or facility expansions;
- (iii) upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards;
- (iv) upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;
- (v) administrative and operating costs of the political subdivision (except for the Edwards Underground Water District or a river authority that is authorized to charge fees that function as impact fees); and
- (vi) principal payments, interest, or other finance charges on bonds or other indebtedness (except as provided in § 395.012).

## **TIMELINE AND TASKS FOR IMPACT FEE ADOPTION**

THE TASKS BELOW ARE TAKEN FROM THE "NUTS AND BOLTS" PAPER PREPARED IN NOVEMBER OF 2015. THE ESTIMATED TIMES FOR EACH TASK ARE HEAVILY DEPENDENT ON MEETING SCHEDULES, AND THE EXTENT OF EXISTING REQUIRED INFORMATION FOR THE LAND USE ASSUMPTIONS. AS THERE IS NOT AS YET A STARTING DATE, THE TIME PERIODS BELOW ARE ESTIMATES OF WEEKS OR MEETINGS NECESSARY TO ACHIEVE EACH STEP. THE ATTACHED COPY OF THE NUTS AND BOLTS PAPER HAS THE TIMELINES BELOW PASTED INTO IT, STARTING ON THE TASKS ON PAGE 3. THE IMPLEMENTATION PROCESS.

**ASSUMPTIONS MADE ARE:**

1. **P&Z WOULD BE APPOINTED AS THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE (THE "COMMITTEE"), THAT IT WOULD MEET NO LESS THAN TWICE A MONTH.**
2. **STAFF AND THE CITY ENGINEER CAN PROVIDE EXISTING REQUIRED INFORMATION TO THE COMMITTEE QUICKLY, AND REQUIRED INFORMATION NOT CURRENTLY AVAILABLE CAN BE DEVELOPED IN A REASONABLE PERIOD OF TIME TO ALLOW THE LAND USE ASSUMPTIONS TO BE COMPLETED. FOR EXAMPLE, DO WE KNOW HOW MANY ACRES IN THE ETJ ARE UNDEVELOPED, AND WHAT THE LIKELY DEVELOPMENT IS?**
3. **THE PROCESS WILL BE SIGNIFICANTLY CHANGED IN TIME ALLOCATIONS IF THE GOAL IS ONLY ONE TYPE OF IMPACT FEE (SUCH AS ROADS), AS OPPOSED TO THE GREATER DEMANDS OF A COMPREHENSIVE IMPACT FEE FOR ROADS, WATER, STORM WATER, ETC.**

THE TIMELINE ESTIMATES ARE SHOWN BELOW AS WEEKS ESTIMATED FOR A SINGLE PURPOSE IMPACT FEE, SUCH AS ROADS. AND THE AGGREGATE TOTAL OF EACH STEP, ALL IN **BLUE INK**. THESE ARE VERY PRELIMINARY ESTIMATES, TO BE REVISED WHEN COUNCIL DECIDES ON WHAT TYPE OF FEES ARE TO BE DEFINED, AND THE CITY ENGINEER GIVES US AN ESTIMATE FOR THEIR WORK ON THE CAPITAL IMPROVEMENTS PLAN.

### **D. Implementation Process**

The procedural requirements for adopting an impact fee are detailed, and need to be followed to the letter.

#### **1. Approval by Municipality**

The process to be used by a municipality is set out in Subchapter C of Chapter 395. In most cases, a city will hire a consultant to help in the process because of the very technical aspects of the information required to be obtained and developed.

The two most important documents upon which the impact fee must be based are the land use assumptions and the capital improvements plan. These form the basis for the impact fee ordinance. A political subdivision may not place a moratorium on new development for the purpose of awaiting the completion of all or any part of the process of developing, adopting, or updating the land use assumptions, the capital improvements plan, or the impact fee. Tex. Local Gov't Code § 395.076 (West 2005). However, moratoria for non-impact fee matters are permissible, such as moratorium on zoning ordinance is being amended.

*a. Capital Improvements Advisory Committee*

**CITY COUNCIL—APPOINT COMMITTEE—INCLUDING ETJ REP—TWO WEEKS—TWO WEEKS**

The city must first appoint a capital improvements advisory committee that must have at least five members. Tex. Local Gov't Code § 395.058 (West 2005). Many cities use their Planning and Zoning Commission as the committee, but if the service area includes all or part of the city's ETJ, at least one member of the advisory committee must represent that area. One member of the committee must be a representative of the real estate, development, or building industry. *Id.*

The role of the advisory committee is to advise and assist in the preparation of the land use assumptions that will, in turn, be used in the preparation of the capital improvements plan. The production of semi-annual reports and updates to the impact fee program are the responsibility of the advisory committee.

*b. Land Use Assumptions*

**ONE MEETING EVERY TWO WEEKS OF THE COMMITTEE ON EACH OF THE FOUR STEPS OF (i) thru (iv). MORE TIME WILL BE REQUIRED IF THERE IS A COMPREHENSIVE IMPACT FEE DESIRED. IF NOT, THEN A MINIMUM OF 10 WEEKS, (AGGREGATE OF 12 WEEKS)**

The advisory committee will help determine the scope of the impact fee ordinance, and must be guided by the statutory provisions identifying acceptable and prohibited expenditures of impact fee revenues.<sup>10</sup> The committee then prepares the land use assumptions and the capital improvements plan.

The land use assumptions are a "description of the service area and projections of changes in land uses, densities, and population in the service area over at least a 10-year period." Tex. Local Gov't Code § 395.001(5) (West 2005).

The types of analyses undertaken may include the following:

- (i) analysis of existing conditions – population, density, zoning classifications, and other land use analyses;
- (ii) determination of service area – for water and wastewater facilities, this is usually the entire city and its ETJ; for roadway facilities, the service area is limited to city limits, not exceeding six miles; for stormwater, drainage, and flood control facilities, the area is limited to all or part of the land within the city limits or its ETJ actually served by these facilities;
- (iii) projection of 10-year growth patterns – involves a review of land use data, zoning classifications, density calculations, projected growth, population trends, employment projects, and the like;

- (iv) "build-out" growth projections – based on the holding capacity of the land area of the city, anticipated land use types, densities, and ultimate populations.

Once the land use assumptions are developed, the city must hold a public hearing, taking care to follow the statutory notice and publication requirements. (The city may consolidate this public hearing with the hearing required prior to adoption of the capital improvements plan.) Tex. Local Gov't Code §§ 395.042, 395.043, 395.044 (West 2005).

*c. Capital Improvements Plan*

***THIS PORTION OF THE PLAN IS DEPENDENT ON THE CITY ENGINEER'S SCHEDULE, AS THIS IS THE PORTION THE LAW REQUIRES THE ENGINEER TO CREATE. WHAT KIND OF IMPACT FEE IS DESIRED, AND HOW WELL THE LAND USE ASSUMPTIONS ARE LAID OUT BY THE COMMITTEE WOULD ALSO AFFECT THE TIMELINE. I WILL BE TALKING TO JOHN MONDAY THE 13<sup>TH</sup>, AND WILL SEE WHAT HE THINKS ON TIME FOR THIS PART OF THE PROJECT. IT WOULD HELP HIM TO KNOW IF THIS WILL JUST BE ROADS, OR WATER, OR DRAINAGE, OR EVERYTHING. THREE MONTHS, PLUS ANOTHER MONTH FOR COUNCIL REVIEW, TWO MORE WEEKS FOR THE REQUIRED PUBLIC HEARING.. (EARLY ESTIMATE-18 WEEKS, AGGREGATE 30 WEEKS).***

The capital improvements plan ("CIP") must be prepared as directed by the statute, as follows:

- (i) it must be prepared by a qualified professional engineer;
- (ii) it must describe existing capital improvements within the service area and the costs to upgrade, update, improve, expand, or replace the improvements to meet existing needs and usage and stricter safety, efficiency, environmental, or regulatory standards;
- (iii) it must analyze the total capacity and current levels of usage and commitments for usage of capacity of the existing capital improvements;
- (iv) it must describe the capital improvements or facility expansions and their costs necessitated by and attributable to the new development based on approved land use assumptions;
- (v) it must contain a table establishing the specific level or quantity of use by service unit for each category of improvements, and must show the ratio of a service unit to various types of land uses, including residential, commercial, and industrial;
- (vi) it must show the total number of projected service units necessitated by and attributable to the new development;
- (vii) it must identify the projected demand for capital improvements required by the new service units projected over not longer than 10 years, and
- (viii) it must include a plan for awarding credits for ad valorem taxes and utility service revenues generated by the new service units that is used for the payment of improvements included in the CIP, or a credit equal to 50% of the total projected cost of implementing the CIP.

A public hearing must be held prior to adopting the CIP; again, specific notice and hearing requirements must be adhered to. Tex. Local Gov't Code § 395.049 (West 2005).

*d. Impact Fee Ordinance*

***DEVELOPING THE ORDINANCE CAN OCCUR DURING EACH STAGE OF THE PROCESS. ALLOW 30 DAYS AFTER THE PUBLIC HEARING ON THE LAND USE ASSUMPTIONS AND THE CAPITAL IMPROVEMENTS PLAN. (FOUR WEEKS, AGGREGATE 34 WEEKS)***

The city must adopt an impact fee ordinance within 30 days of the hearing on the CIP, and the ordinance cannot be adopted as an emergency measure. Tex. Local Gov't Code § 395.051 (West 2005).

The ordinance should include provisions for the administration of the impact fees, the time of assessment of the fees, the time of collection of the fees, for offsets and credits of impact fees, a schedule of maximum fees and actual fees to be collected, an accounting system for funds collected, and refund provisions.

Impact fees are calculated by dividing the total cost of facilities required to serve new development by the total number of new service units expected.

The maximum amount of the fee per service unit may not exceed the amount determined by:

(i) subtracting the amount determined in the plan for awarding credits for ad valorem taxes and utility service revenues generated by the new service units that is used for the payment of improvements included in the CIP, or a credit equal to 50% of the total projected cost of implementing the CIP, from (ii) the capital improvements or facility expansions and their costs necessitated by and attributable to the new development based on approved land use assumptions, and (iii) dividing that amount by the total number of projected service units. Tex. Local Gov't Code § 395.015 (West 2005)

*e. Fee Assessment and Collection*

“Fee assessment” means a determination of the amount of the impact fee in effect on the relevant date, and is the maximum amount that can be charged per service unit of the development. The city does not need to take any action to “assess” the fee. Tex. Local Gov't Code § 395.016(f) (West 2005). The time at which the fees may be assessed depends on when the fees were adopted and the land is platted. For fees adopted after June 20, 1987, and for land platted after that date, the fee may be assessed before or at the time of recordation of the subdivision plat or other plat under Local Government Code Chapter 212. Tex. Local Gov't Code § 395.016(d) (West 2005). If new development is to occur without plating, the city may assess the fee at any time during the development and building process. Tex. Local Gov't Code § 395.016(e) (West 2005).

After the fee is assessed, it cannot be increased against a tract for any reason, unless the number of service units increases. Tex. Local Gov't Code § 395.017 (West 2005).

Political subdivisions and other governmental entities may pay impact fees. Tex. Local Gov't Code § 395.022(a) (West Supp. 2013). A school district is not required to pay an impact fee under Chapter 395 unless its board of trustees enters into an agreement to pay the fees, under terms the board of trustees considers advisable. Tex. Local Gov't Code § 395.022(b) (West Supp. 2013).

The impact fee may be collected at different times. If the city has water and wastewater capacity available, the fees are to be collected at the time of issuance of a building permit. Also, if such capacity is available and the platted land is outside the city limits, the city may shall collect the fee at the time application is made for an individual meter connection to the city's system. For political subdivisions that do not issue building permits in the area where the fee applies, the fee shall be collected at the time an application is filed for an individual meter connection. Tex. Local Gov't Code § 395.016(d) (West 2005). If development is to occur without plating, the fee may be collected at either the time of connection to the system or at the time the political subdivision issues a building permit or certificate of occupancy. Tex. Local Gov't Code § 395.016(e) (West 2005).

A political subdivision and the owner of land that has a recorded plat may enter into an agreement providing for the time and method of payment of the impact fees. Tex. Local Gov't Code § 395.018 (West 2005).

*f. Post-Adoption Requirements*

The advisory committee is required to file semi- annual reports with respect to the progress of the CIP and any perceived inequities in implementing the plan or imposing the fee. Tex. Local Gov't Code § 395.058(c)(4) (West 2005). In addition, the advisory committee is to advise the political subdivision of the need to update or revise the land use assumptions, CIP, and impact fee. Tex. Local Gov't Code § 395.058(c)(5) (West 2005).

The governing body is under a continuing duty to update the land use assumptions and CIP at least every five years, beginning on the date that the CIP is adopted. Tex. Local Gov't Code § 395.052 (West 2005). Public hearings on the updated assumption and CIP are required. Tex. Local Gov't Code § 395.054 (West 2005). If the governing body determines after the public hearing that no changes are needed, it must give notice of that determination. If any person files a written request that the land use assumptions, CIP, or impact fee be updated, the governing body must perform the update.

*g. Refunds and Exemptions*

Refunds of paid impact fees are required in certain instances. If existing facilities are available and service is denied, or if the political subdivision has failed to commence construction within two years, or if service is not available within a reasonable period of time considering the type of capital improvement or facility expansion to be constructed (not to exceed five years), the property owner may request a the political subdivision is required to provide the refund. Tex. Local Gov't Code § 395.025(a) (West 2005).

Funds collected but not spent within 10 years after payment must be refunded. Tex. Local Gov't Code § 395.025(c) (West 2005). All refunds must bear interest from date of collection to date of refund at the statutory rate, and shall be made to the record owner of the property at the time the refund is paid. Tex. Local Gov't Code § 395.025(d) and (e) (West 2005).

Fees may be waived or reduced for any service unit that would qualify as affordable housing under 42 U.S.C. Section 12745, as amended, once the service unit is constructed. However, if the affordable housing is not constructed, the political subdivision may reverse its decision to waive or reduce the fee, and may assess the fee at any time during the development approval or building process, or even after the process. Tex. Local Gov't Code §395.016(g) (West 2005).

<b>Year</b>	<b>January Water Meters</b>	<b>x 3 per household</b>
<b>2000</b>	<b>688</b>	<b>2064</b>
<b>2001</b>	<b>786</b>	<b>2358</b>
<b>2002</b>	<b>938</b>	<b>2814</b>
<b>2003</b>	<b>1022</b>	<b>3066</b>
<b>2004</b>	<b>1075</b>	<b>3225</b>
<b>2005</b>	<b>1121</b>	<b>3363</b>
<b>2006</b>	<b>1180</b>	<b>3540</b>
<b>2007</b>	<b>1210</b>	<b>3630</b>
<b>2008</b>	<b>1258</b>	<b>3774</b>
<b>2009</b>	<b>1273</b>	<b>3819</b>
<b>2010</b>	<b>1295</b>	<b>3885</b>
<b>2011</b>	<b>1320</b>	<b>3960</b>
<b>2012</b>	<b>1351</b>	<b>4053</b>
<b>2013</b>	<b>1385</b>	<b>4155</b>
<b>2014</b>	<b>1404</b>	<b>4212</b>
<b>2015</b>	<b>1435</b>	<b>4305</b>
<b>2016</b>	<b>1501</b>	<b>4503</b>

Approved By Zoning or Development Agreement 1500 acres +/-

969 Lots

Undeveloped in ETJ

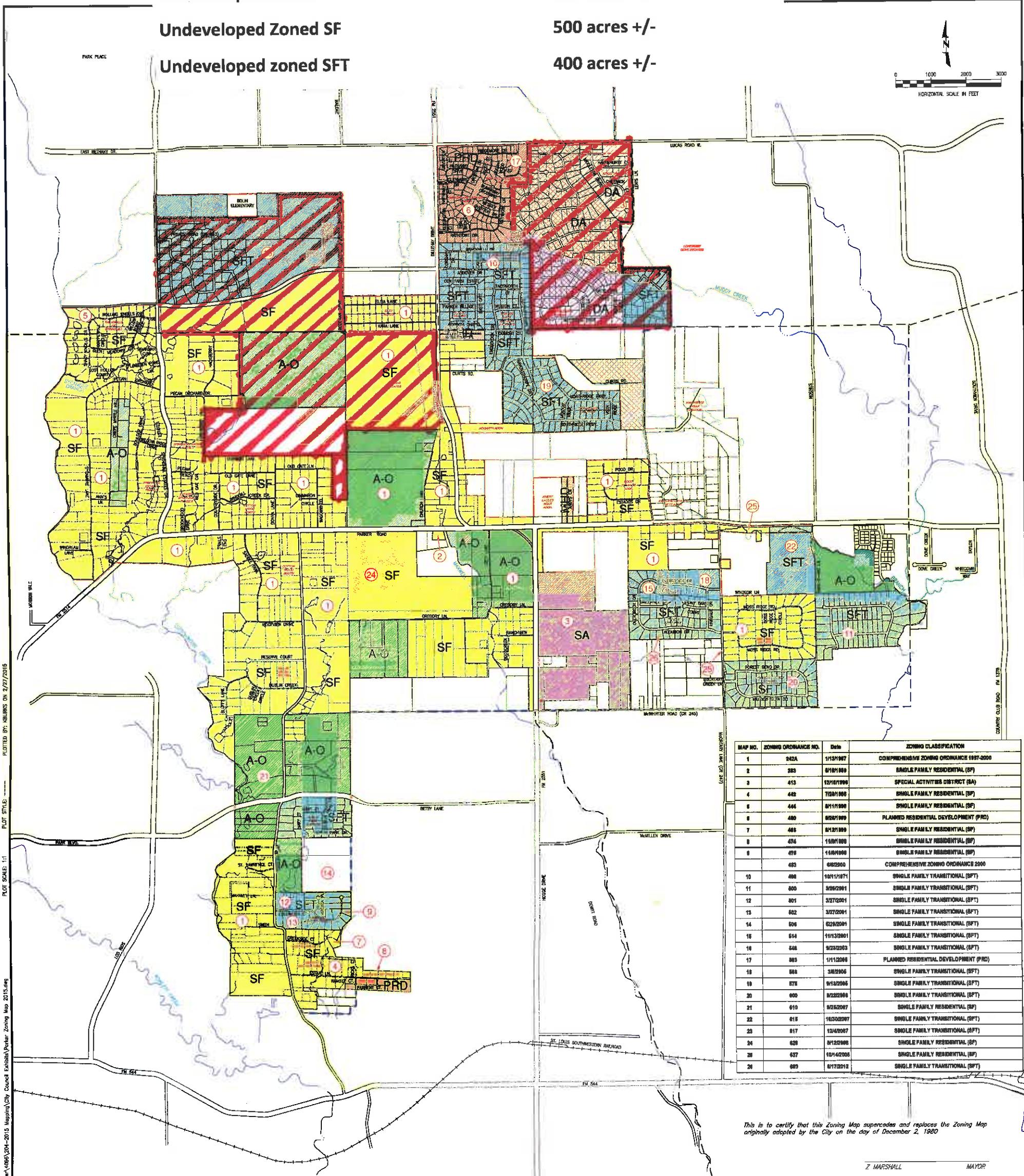
720 acres +/-

Undeveloped Zoned SF

500 acres +/-

Undeveloped zoned SFT

400 acres +/-



## ZONING MAP CITY OF PARKER, TEXAS



BIRKHOFF, HENDRICKS & CARTER, L.L.P.  
PROFESSIONAL ENGINEERS

Texas Firm F526  
11910 Greenville Ave., Suite 600  
Dallas, Texas 75243 (214) 361-7900

PRIVATE DRIVES:  
SMITH, MAHANEY, TRAILS END, WINDREAM LANE, ANNIS LANE,  
CRISPE MYRTLE, REGAL WAY, ANDY'S LANE

This document was prepared under 22 TAC  
663.21, and does not reflect the results of an  
on the ground survey, and is not to be used  
to convey or establish interests in real  
property except those right and interests  
simplified or established by the creation or  
reconfiguration of the boundary of the political  
subdivision for which it was prepared.

ZONING LEGEND		
	AGRICULTURAL - OPEN SPACE (A-O)	
	SINGLE FAMILY RESIDENTIAL DISTRICT (SF)	
	SINGLE FAMILY RESIDENTIAL DISTRICT 1.5AC. (SFT)	
	PLANNED RESIDENTIAL DEVELOPMENT (PRD)	
	SPECIAL ACTIVITIES DISTRICT (SA)	
	MANUFACTURED HOME DISTRICT (MHD)	
	DEVELOPER AGREEMENT (DA) (UNDER CONSTRUCTION)	
	DEVELOPER AGREEMENT (DA) (FUTURE LOTS)	February 2015

DRAFT OF THE REPORT OF THE  
CAPITAL IMPROVEMENTS ADVISORY COMMITTEE

**THE LAND USE ASSUMPTIONS REPORT OF THE CAPITAL  
IMPROVEMENTS ADVISORY COMMITTEE OF THE CITY OF PARKER.**

The Capital Improvements Advisory Committee (the “Committee”) was appointed by the City of Parker City Council to review the subjects identified below and render an opinion on the land use assumptions necessary for the City to create and adopt lawful impact fees for the City of Parker public water system. The Committee has reviewed the Comprehensive Plan, the land use data, the current development within Parker, the current zoning within Parker, the Comprehensive Plan for the City of Parker and its ETJ, the master thoroughfare plan, and the existing water (and sewer) plans for future growth and development. The Committee's report on the Land Use Assumptions required by Texas Local Government Code with relation to the Committee's work on impact fee research is as follows:

**I.**

***Analysis of existing conditions – population, density, zoning classifications, and other land use analyses:***

Each member of the Committee is personally familiar with the existing development within the City of Parker, and has reviewed the areas not yet developed. Each member of the Committee has been advised of the population, the existing zoning, and the comprehensive plan for the City, with regard to zoning and density planned for the undeveloped areas of Parker, and its ETJ.

**II.**

***Determination of service area:***

The City Council's charge to the Committee was to determine capital improvements needed and necessary for future development. The Committee has reviewed the requirements to exclude the provisions and related costs to current development, and has concentrated on the capital improvements necessary to serve future development based on the existing conditions noted in (i) above, and the anticipated use of the comprehensive plan and related development plans of the City, all as required by the Texas Local Government Code. The service area for a water impact fee would be the entire City and its ETJ with respect to new development in any portion of the City or its ETJ.

**III.**

***Projection of 10-year growth patterns – involves a review of land use data, zoning classifications, density calculations, projected growth, population trends, employment projects, and the like:***

Based on the review of the factors set forth in I. and II. above, the Committee projects the 10 year growth patterns as they relate to water system capital improvements are as set forth on the attached Exhibit A. The Committee's findings are based on the following:

DRAFT OF THE REPORT OF THE  
CAPITAL IMPROVEMENTS ADVISORY COMMITTEE

**Density calculations:** The Committee agrees with the Comprehensive Plan of Parker with regard to the future development of Parker and its ETJ. Consequently for those areas zoned SF-Single Family, the Committee has projected single family residential units on lots of not less than 2 acres, with 3 residents per household. For those areas zoned or projected to be zoned SFT, Single Family Transitional, the Committee anticipates 1 acre minimum lots, with a 1.5 acre average size of lots in the subdivision. The population estimate for SFT is also 3 residents per unit. Additional zoning categories such as Special Activities, Agricultural and Manufactured Housing, and non-conforming uses, were all considered in the analysis.

**IV.**

***“Build-out” growth projections – based on the holding capacity of the land area of the city, anticipated land use types, densities, and ultimate populations:***

The current number of residents and population within Parker and its anticipated growth patterns over the next 10 years are as set forth in Exhibit A. The projections shown on Exhibit A provides Parker's ultimate build-out growth projections, including existing development within Parker, anticipated future development on currently undeveloped land within Parker, and development in the extra-territorial jurisdiction (ETJ).

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CAPITAL IMPROVEMENTS ADVISORY COMMITTEE

**EXHIBIT A**

**Land Uses Assumptions**

	<u>2016</u> Current	<u>2021</u>	<u>2026</u>	<u>Buildout</u>
Homes	- SF			
	- SFT			
Manufactured				
Housing--				
Commercial--				
Public--				
Totals - -				
Population--				