

ORDINANCE NO. O-2023-378

AN ORDINANCE AMENDING CHAPTER 42, ARTICLE V, CODE OF ORDINANCES (2018 EDITION), CITY OF ROUND ROCK, TEXAS, REGARDING ROADWAY IMPACT FEES; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That Chapter 42, Article V, Section 42.504, Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

CHAPTER 42 – TRAFFIC AND VEHICLES

Sec. 42-504. Service areas; Service area amendments; and applicability.

- (a) The City is hereby divided into ~~three~~four roadway service areas as shown on the official roadway service area map. The official roadway service area map, which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Article. The official roadway service area map shall be identified by the signature of the mayor attested by the city clerk and bearing the seal of the City of Round Rock under the following words:

"This is to certify that this is the official roadway service area map referred to in Subsection 42-504 of the Code of Ordinances, City of Round Rock, Texas, 2010."

- (b) The provisions of this Article apply to all new development within the service areas described above. The provisions of this Article apply uniformly within each roadway service area.

(c) Adjustments to service areas due to annexations that are determined not to materially change the land use assumptions or the capital improvement plan in a way that would materially affect the roadway impact fee calculation per V.C.T.A. Local Government Code 395 may be updated in the official roadway service area map by resolution of Council after annexation is completed.

II.

That Chapter 42, Article V, Section 42.505, Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

CHAPTER 42 – TRAFFIC AND VEHICLES

Sec. 42-505. Roadway impact fees per service unit.

- (a) The maximum assessable roadway impact fee per service unit for each roadway service area shall be as set forth in the table below:

Schedule 42-505 (a)*
MAXIMUM ASSESSABLE ROADWAY IMPACT FEE PER SERVICE UNIT

<u>Service Area</u>	<u>2019 Maximum Fee Per Service Unit (per Vehicle-Mile)</u>	<u>2023 Maximum Fee Per Service Unit (per Vehicle-Mile)</u>
<u>A</u>	<u>\$2,678</u>	<u>\$5,740</u>
<u>B</u>	<u>\$2,933</u>	<u>\$4,765</u>
<u>C</u>	<u>\$2,511</u>	<u>\$3,818</u>
<u>D</u>	<u>=</u>	<u>\$4,156</u>

*The previous Schedule 42-505 (a) is replaced entirely by the above Schedule.

- (b) The roadway impact fee per service unit for all service areas shall be adopted, assessed, and collected in ~~three~~the phases as set forth below:

(1) Phase 1, Effective January 1, 2020

- a. For all property with a recorded plat dated before January 1, 2020, the roadway impact fees will be assessed as set forth below, but there will be no roadway impact fees charged for any building permit application dated before January 1, 2021:
 1. Residential land uses \$ 753 per service unit
 2. Non-residential land uses` \$ 502 per service unit
- b. For all property with a recorded plat dated before January 1, 2020, roadway impact fees assessed above will be charged for any building permit application dated on or after January 1, 2021, as follows:
 1. Residential land uses \$ 753 per service unit
 2. Non-residential land uses` \$ 502 per service unit
- c. For all property with a recorded plat dated after January 1, 2020, but before January 1, 2022, roadway impact fees will be assessed at final plat recordation, and will be charged as follows:
 1. Residential land uses \$ 753 per service unit
 2. Non-residential land uses` \$ 502 per service unit

(2) Phase 2, Effective January 1, 2022

For all property with a recorded plat dated on or after January 1, 2022, but before January 1, 2024, roadway impact fees will be assessed at final plat recordation, and will be charged as follows:

1. Residential land uses \$ 1,130 per service unit
2. Non-residential land uses \$ 628 per service unit

(3) Phase 3, Effective January 1, 2024

For all property with a recorded plat dated on or after January 1, 2024, roadway impact fees will be assessed at final plat recordation, and will be charged as follows:

1. Residential land uses \$ 1,507 per service unit
2. Non-residential land uses \$ 753 per service unit

(4) Phase 4, Effective January 1, 2025

(a) For all property within service area A with a recorded plat dated on or after January 1, 2025, roadway impact fees will be assessed at final plat recordation, and will be charged as follows:

1. Residential land uses \$ 3,444 per service unit
2. Non-residential land uses \$ 1,722 per service unit

(b) For all property within service areas B, C, and D with a recorded plat dated on or after January 1, 2025, roadway impact fees will be assessed at final plat recordation, and will be charged as follows:

1. Residential land uses \$ 2,290.80 per service unit
2. Non-residential land uses \$ 1145.40 per service unit

(c) The land use vehicle-mile equivalency tables are set forth below:

Schedule 42-505 (c)

Land Use Vehicle-Mile Equivalency Table ("LUVMET")

*The previous Schedule 42-505 (c) is replaced entirely by the following Schedule.

Land Use Category	ITE Land Use Code	Development Unit	Trip Gen Rate (PM)	Pass-by Rate	Pass-by Source	Trip Rate	Trip Length (mi)	2019 Study Trip Length (mi)	Adj. Trip Length (mi)	Max Trip Length (mi)	Veh-Mi Per Dev. Unit
PARKING AREA											
Park-and-Ride Lot with Bus or Light Rail Service	090	Occupied Parking Space(s)	0.55			0.55	8.09	n/a	4.04	4.04	2.22
INDUSTRIAL											
General Light Industrial	110	1,000 SQ FT	0.65			0.65	9.99	12.89	4.99	4.99	3.24
Industrial Park	130	1,000 SQ FT	0.34			0.34	9.99	12.89	4.99	4.99	1.70
Manufacturing	140	1,000 SQ FT	0.47			0.47	9.99	12.89	4.99	4.99	2.35
Warehousing	150	1,000 SQ FT	0.18			0.18	9.99	12.89	4.99	4.99	0.90
Mini-Warehouse	151	1,000 SQ FT	0.15			0.15	9.99	12.89	4.99	4.99	0.75
High-Cube Transload and Short-Term Storage Warehouse	154	1,000 SQ FT	0.10			0.10	9.99	n/a	4.99	4.99	0.50
High-Cube Fulfillment Center Warehouse	155	1,000 SQ FT	0.16			0.16	9.99	n/a	4.99	4.99	0.80
High-Cube Parcel Hub Warehouse	156	1,000 SQ FT	0.64			0.64	9.99	n/a	4.99	4.99	3.19
High-Cube Cold Storage Warehouse	157	1,000 SQ FT	0.12			0.12	9.99	n/a	4.99	4.99	0.60
Data Center	160	1,000 SQ FT	0.09			0.09	8.09	n/a	4.05	4.05	0.36
Utilities	170	1,000 SQ FT	2.16			2.16	8.09	n/a	4.05	4.05	8.75
Specialty Trade Contractor	180	1,000 SQ FT	1.93			1.93	8.09	n/a	4.05	4.05	7.82
RESIDENTIAL											
Single-Family Detached Housing	210	Dwelling Unit	0.94			0.94	6.77	8.59	3.38	3.38	3.18
Single-Family Attached Housing	215	Dwelling Unit	0.57			0.57	6.77	n/a	3.38	3.38	1.93
Multifamily Housing (Low-Rise)	220	Dwelling Unit	0.51			0.51	6.24	8.59	3.12	3.12	1.59
Multifamily Housing (Mid-Rise)	221	Dwelling Unit	0.39			0.39	6.24	8.59	3.12	3.12	1.22
Multifamily Housing (High-Rise)	222	Dwelling Unit	0.32			0.32	6.24	8.59	3.12	3.12	1.00
Off-Campus Student Apartment	225	Bedrooms	0.24			0.24	6.24	n/a	3.12	3.12	0.75
Off-Campus Student Apartment (Mid-Rise)	226	Bedrooms	0.21			0.21	6.24	n/a	3.12	3.12	0.66
Off-Campus Student Apartment (High-Rise)	227	Bedrooms	0.04			0.04	6.24	n/a	3.12	3.12	0.12
Mobile Home Park	240	Dwelling Unit	0.58			0.58	6.77	8.59	3.38	3.38	1.96
Senior Adult Housing-Detached	251	Dwelling Unit	0.30			0.30	6.24	8.59	3.12	3.12	0.94
Senior Adult Housing-Attached	252	Dwelling Unit	0.25			0.25	6.24	8.59	3.12	3.12	0.78
Congregate Care Facility	253	Dwelling Unit	0.18			0.18	6.24	n/a	3.12	3.12	0.56
Assisted Living	254	Beds	0.26			0.26	6.24	8.59	3.12	3.12	0.81
Continuing Care Retirement Community	255	Units	0.19			0.19	6.24	n/a	3.12	3.12	0.59
Recreational Homes	260	Dwelling Unit	0.29			0.29	6.24	n/a	3.12	3.12	0.90
Timeshare	265	Dwelling Unit	0.63			0.63	6.24	n/a	3.12	3.12	1.97
Residential Planned Unit Development	270	Dwelling Unit	0.69			0.69	6.77	n/a	3.38	3.38	2.33
LODGING											
Hotel	310	Room	0.59			0.59	7.81	5.41	3.91	3.91	2.31
All Suites Hotel	311	Room	0.36			0.36	7.81	n/a	3.91	3.91	1.41
Business Hotel	312	Room	0.31			0.31	7.81	n/a	3.91	3.91	1.21
Motel	320	Room	0.36			0.36	7.81	5.41	3.91	3.91	1.41
Resort Hotel	330	Room	0.41			0.41	7.81	n/a	3.91	3.91	1.60
RECREATIONAL											
Public Park	411	Acres	0.11			0.11	6.70	n/a	3.35	3.35	0.37
Golf Course	430	Holes	0.28			0.28	6.70	6.35	3.35	3.35	0.94
Golf Driving Range	432	Driving Positions	1.25			1.25	6.70	6.35	3.35	3.35	4.19
Batting Cages	433	Cages	2.22			2.22	7.81	n/a	3.91	3.91	8.68
Multipurpose Recreational Facility	435	1,000 SQ FT	3.58			3.58	7.81	n/a	3.91	3.91	14.00
Trampoline Park	436	1,000 SQ FT	1.50			1.50	7.81	n/a	3.91	3.91	5.87
Bowling Alley	437	Lanes	1.30			1.30	7.81	n/a	3.91	3.91	5.08
Movie Theater (Friday)	445a	1,000 SQ FT	4.80			4.80	7.81	n/a	3.91	3.91	18.77
Ice Skating Rink	465	1,000 SQ FT	1.33			1.33	7.81	6.35	3.91	3.91	5.20
Casino	473	1,000 SQ FT	22.61			22.61	7.81	n/a	3.91	3.91	88.41
Soccer Complex	488	Fields	16.43			16.43	6.70	n/a	3.35	3.35	55.04
Health/Fitness Club	492	1,000 SQ FT	3.45			3.45	7.81	n/a	3.91	3.91	13.49
Athletic Club	493	1,000 SQ FT	6.29			6.29	7.81	n/a	3.91	3.91	24.59
Recreational Community Center	495	1,000 SQ FT	2.50			2.50	7.81	6.35	3.91	3.91	9.78

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: ITE rate adjusted upward by KHA based on logical relationship to other categories

Land Use Category	ITE Land Use Code	Development Unit	Trip Gen Rate (PM)	Pass-by Rate	Pass-by Source	Trip Rate	Trip Length (mi)	2019 Study Trip Length (mi)	Adj. Trip Length (mi)	Max Trip Length (mi)	Veh-Mi Per Dev. Unit
INSTITUTIONAL											
Elementary School	520	Students	0.16			0.16	4.81	n/a	2.41	2.41	0.39
Middle School/Junior High School	522	Students	0.15			0.15	4.81	3.39	2.41	2.41	0.36
High School	525	Students	0.14			0.14	4.81	n/a	2.41	2.41	0.34
Private School (K-8)	530	Students	0.26			0.26	4.81	n/a	2.41	2.41	0.63
Private School (K-12)	532	Students	3.00			3.00	4.81	n/a	2.41	2.41	7.23
Private High School	534	Students	0.19			0.19	4.81	n/a	2.41	2.41	0.46
Charter Elementary School (1)	536	Students	0.16			0.16	4.81	n/a	2.41	2.41	0.39
Charter School (K-12)	538	Students	0.30			0.30	4.81	n/a	2.41	2.41	0.72
Junior / Community College	540	Students	0.11			0.11	4.81	3.39	2.41	2.41	0.27
University / College	550	Students	0.15			0.15	7.95	3.39	3.98	3.98	0.60
Church	560	1,000 SQ FT	0.49			0.49	7.95	6.30	3.98	3.98	1.95
Day Care Center	565	1,000 SQ FT	11.12	44%	A	6.23	7.95	3.39	3.98	3.98	24.80
Cemetery	566	Acres	0.46			0.46	7.95	n/a	3.98	3.98	1.83
Fire Rescue Station	575	1,000 SQ FT	0.48			0.48	7.95	n/a	3.98	3.98	1.91
Library	590	1,000 SQ FT	8.16			8.16	7.95	n/a	3.98	3.98	32.48
MEDICAL											
Hospital	610	1,000 SQ FT	0.86			0.86	7.96	6.76	3.98	3.98	3.42
Nursing Home	620	Beds	0.59			0.59	7.96	6.76	3.98	3.98	2.35
Clinic	630	1,000 SQ FT	3.69			3.69	7.96	6.76	3.98	3.98	14.69
Animal Hospital/Veterinary Clinic	640	1,000 SQ FT	3.53			3.53	7.96	6.76	3.98	3.98	14.05
Free-Standing Emergency Room	650	1,000 SQ FT	1.52			1.52	7.96	n/a	3.98	3.98	6.05
OFFICE											
General Office Building	710	1,000 SQ FT	1.44			1.44	6.79	6.76	3.40	3.40	4.90
Small Office Building	712	1,000 SQ FT	2.16			2.16	6.79	n/a	3.40	3.40	7.34
Corporate Headquarters Building	714	1,000 SQ FT	1.30			1.30	6.79	6.76	3.40	3.40	4.42
Single Tenant Office Building	715	1,000 SQ FT	1.76			1.76	6.79	6.76	3.40	3.40	5.98
Medical-Dental Office Building	720	1,000 SQ FT	3.93			3.93	6.79	6.76	3.40	3.40	13.36
Government Office Building	730	1,000 SQ FT	1.71			1.71	6.79	n/a	3.40	3.40	5.81
State Motor Vehicles Department	731	1,000 SQ FT	5.20			5.20	6.79	n/a	3.40	3.40	17.68
United States Post Office	732	1,000 SQ FT	11.21			11.21	6.79	n/a	3.40	3.40	38.11
Office Park	750	1,000 SQ FT	1.07			1.07	6.79	6.76	3.40	3.40	3.64
Business Park	770	1,000 SQ FT	1.22			1.22	6.79	n/a	3.40	3.40	4.15
COMMERCIAL											
Automobile Related											
Automobile Sales (New)	840	1,000 SQ FT	2.42			2.42	6.74	n/a	3.37	3.37	8.16
Automobile Sales (Used)	841	1,000 SQ FT	3.75			3.75	6.74	5.41	3.37	3.37	12.64
Automobile Parts Sales	843	1,000 SQ FT	4.90			4.90	6.74	5.41	3.37	3.37	16.51
Tire Store	848	1,000 SQ FT	3.75	28%	A	2.70	6.74	5.41	3.37	3.37	9.10
Tire Superstore	849	1,000 SQ FT	2.11			2.11	6.74	n/a	3.37	3.37	7.11
Quick Lubrication Vehicle Shop	941	Servicing Positions	4.85			4.85	6.74	5.41	3.37	3.37	16.34
Automobile Care Center	942	1,000 SQ FT	3.11			3.11	6.74	5.41	3.37	3.37	10.48
Automobile Parts and Service Center	943	1,000 SQ FT	2.06			2.06	6.74	n/a	3.37	3.37	6.94
Gasoline/Service Station	944	Vehicle Fueling Position	14.03	42%	A	8.14	2.70	1.20	1.35	1.35	10.99
Gasoline/Service Station w/ Conv Market	945	Vehicle Fueling Position	18.42	62%	A	7.00	2.70	1.20	1.35	1.35	9.45
Self-Service Car Wash	947	Stall	5.54			5.54	2.70	1.20	1.35	1.35	7.48
Truck Stop	950	Fueling Positions	15.42			15.42	2.70	n/a	1.35	1.35	20.82

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: ITE rate adjusted upward by KHA based on logical relationship to other categories

Land Use Category	ITE Land Use Code	Development Unit	Trip Gen Rate (PM)	Pass-by Rate	Pass-by Source	Trip Rate	Trip Length (mi)	2019 Study Trip Length (mi)	Adj. Trip Length (mi)	Max Trip Length (mi)	Veh-Mi Per Dev-Unit
Dining											
Food Cart Pod	926	1,000 SQ FT	6.16			6.16	6.74	n/a	3.37	3.37	20.76
Fast Casual Restaurant	930	1,000 SQ FT	12.55	44%	B	7.03	6.74	n/a	3.37	3.37	23.69
Fine Dining Restaurant	931	1,000 SQ FT	7.80	44%	A	4.37	6.74	n/a	3.37	3.37	14.73
High Turnover (Sit-Down) Restaurant	932	1,000 SQ FT	9.05	43%	A	5.16	6.74	5.41	3.37	3.37	17.39
Fast Food Restaurant without Drive-Thru Window	933	1,000 SQ FT	33.21	44%	B	18.60	6.74	3.39	3.37	3.37	62.68
Fast Food Restaurant with Drive-Thru Window	934	1,000 SQ FT	33.03	49%	A	16.85	6.74	3.39	3.37	3.37	56.78
Fast-Food Restaurant w/ D.T. No Indoor Seats	935	Drive-in Lanes	59.50	49%	B	30.35	6.74	n/a	3.37	3.37	102.28
Coffee/Donut Shop w/o D.T.	936	1,000 SQ FT	32.29	49%	B	16.47	6.74	n/a	3.37	3.37	55.50
Coffee/Donut Shop with Drive-Thru Window	937	1,000 SQ FT	43.38	49%	B	22.12	6.74	1.20	3.37	3.37	74.54
Coffee/Donut Shop w/ D.T. No Indoor Seats	938	1,000 SQ FT	15.08	49%	B	7.69	6.74	n/a	3.37	3.37	25.92
Winery	970	1,000 SQ FT	7.31			7.31	6.74	n/a	3.37	3.37	24.63
Drinking Place	975	1,000 SQ FT	11.36			11.36	6.74	n/a	3.37	3.37	38.28
Other Retail											
Tractor Supply Store	810	1,000 SQ FT	1.40			1.40	6.74	n/a	3.37	3.37	4.72
Construction Equipment Rental Store	811	1,000 SQ FT	0.99			0.99	6.74	n/a	3.37	3.37	3.34
Free-Standing Store	815	1,000 SQ FT	4.86	17%	A	4.03	6.74	n/a	3.37	3.37	13.58
Hardware/Paint Store	816	1,000 SQ FT	2.98	26%	A	2.21	6.74	n/a	3.37	3.37	7.45
Nursery (Garden Center)	817	1,000 SQ FT	6.94			6.94	6.74	6.35	3.37	3.37	23.39
Shopping Center (>150k)	820	1,000 SQ FT GLA	3.81	34%	A	2.51	6.74	6.35	3.37	3.37	8.46
Shopping Plaza (40k - 150k) (Supermarket)	821	1,000 SQ FT GLA	9.03	34%	B	5.96	6.74	n/a	3.37	3.37	20.09
Shopping Plaza (40k - 150k) (No Supermarket)	821a	1,000 SQ FT GLA	5.19	34%	B	3.43	6.74	n/a	3.37	3.37	11.56
Strip Retail Plaza (<40k)	822	1,000 SQ FT GLA	25.00	34%	B	16.50	6.74	n/a	3.37	3.37	55.61
Factory Outlet Center	823	1,000 SQ FT	2.29			2.29	6.74	n/a	3.37	3.37	7.72
Recreational Vehicle Sales	842	1,000 SQ FT	0.77			0.77	6.74	n/a	3.37	3.37	2.59
Supermarket	850	1,000 SQ FT	8.95	36%	A	5.73	6.74	6.35	3.37	3.37	19.31
Convenience Market	851	1,000 SQ FT	49.11	51%	A	24.06	6.74	n/a	3.37	3.37	81.08
Discount Club	857	1,000 SQ FT	4.19	37%	A	2.64	6.74	n/a	3.37	3.37	8.90
Sporting Goods Superstore	861	1,000 SQ FT	2.14			2.14	6.74	n/a	3.37	3.37	7.21
Home Improvement Superstore	862	1,000 SQ FT	2.29	42%	A	1.33	6.74	6.35	3.37	3.37	4.48
Electronics Superstore	863	1,000 SQ FT	4.25			4.25	6.74	n/a	3.37	3.37	14.32
Pet Supply Superstore	866	1,000 SQ FT	3.55			3.55	6.74	n/a	3.37	3.37	11.96
Office Supply Superstore	867	1,000 SQ FT	2.77			2.77	6.74	n/a	3.37	3.37	9.33
Discount Home Furnishing Superstore	869	1,000 SQ FT	1.57			1.57	6.74	n/a	3.37	3.37	5.29
Department Store	875	1,000 SQ FT	1.95			1.95	6.74	6.35	3.37	3.37	6.57
Apparel Store	876	1,000 SQ FT	4.12			4.12	6.74	n/a	3.37	3.37	13.88
Pharmacy/Drugstore w/o Drive-Thru Window	880	1,000 SQ FT	8.51	53%	A	4.00	6.74	6.35	3.37	3.37	13.48
Pharmacy/Drugstore w/ Drive-Thru Window	881	1,000 SQ FT	10.25	49%	A	5.23	6.74	6.35	3.37	3.37	17.63
Furniture Store	890	1,000 SQ FT	0.52	53%	A	0.24	6.74	n/a	3.37	3.37	0.81
Liquor Store (1)	899	1,000 SQ FT	16.62			16.62	6.74	n/a	3.37	3.37	56.01
SERVICES											
Walk-In Bank	911	1,000 SQ FT	12.13	35%	B	7.88	7.95	3.39	3.98	3.98	31.36
Drive-In Bank	912	Drive-in Lanes	21.01	35%	A	13.66	7.95	3.39	3.98	3.98	54.37

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: ITE rate adjusted upward by KHA based on logical relationship to other categories

III.

That Chapter 42, Article V, Section 42.511, Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

CHAPTER 42 – TRAFFIC AND VEHICLES

Sec. 42-511. Appeals.

- (a) The property owner or applicant for a new development may appeal the following administrative decisions to the city council:
 - (1) The applicability of an impact fee to the new development;
 - (2) The amount of the roadway impact fee due;
 - (3) The availability of, the amount of, or the expiration of an offset;
 - (4) The application of an offset against a roadway impact fee due;
 - (5) The amount of the roadway impact fee in proportion to the benefit received by the new development; or
 - (6) The amount of a refund due, if any.
- (b) The appellant shall state the basis for the appeal in writing with particularity. The burden of proof shall be on the appellant to demonstrate that the amount of the fee or the amount of the offset was not calculated according to the rules set forth in this Article or by administrative guideline adopted by the city council. The appellant shall submit any traffic study or other documents upon which he relies to the city with the request for appeal.
- (c) The appellant must file a notice of appeal with the city clerk within 30 days following the decision. If the notice of appeal is accompanied by a bond or other sufficient surety with offices for local presentment in a form satisfactory to the city attorney in an amount equal to the original determination of the roadway impact fee due, the development application may be processed while the appeal is pending.
- (d) Along with the notice of appeal, an applicant may request an alternative service unit computation for land uses not contained within the latest edition of the ITE Trip Generation Manual by submitting a trip generation study demonstrating the appropriateness of the trip generation rates for the proposed development. An applicant may also include an alternative Service Unit calculation.
 - (1) The following shall be used for trip lengths within the city for any alternative service unit computation as a multiplier to computed trip rates to determine the vehicle miles per development unit: (i) industrial uses – 4.99 miles; (ii) residential uses – 3.38 miles; (iii) recreational or lodging uses – 3.91 miles; (iv) office uses – 3.40 miles; (v) retail and dining uses – 3.37 miles; (vi) school uses – 2.41 miles; (vii) convenience stop uses – 1.35 miles; and (viii) all other uses – 3.98 miles.
 - (2) For any alternative service unit computation not using trip rates in the LUMVET Table in Schedule 42-505(c), a minimum of 3 studies must be used with a rate or linear regression equation for trips per unit of development in the PM peak hour for adjacent street traffic.

Studies must be conducted as a count of all traffic entering and leaving a site with the peak hour computed and delivered in a report sealed by an engineer licensed in the state of Texas. Study locations provided must be described and have similar characteristics to the proposed use, preferably within 50 miles of City Hall.

(3) Any exceptions to the requirements set forth in subsections (1) or (2) above must be approved by the director of transportation.

- (e) The city manager or his/her designee may (1) resolve the appeal, if the appellant agrees with the manager's decision, or (2) if the appellant does not agree, refer the matter to the City Council for decision, along with the Manager's recommendation and any trip generation study provided, if any.
- (f) If city council review is requested by the appellant after receiving the city manager's decision, the city clerk shall schedule a public hearing at which the applicant may present testimony and evidence before the city council. The city council shall act on the appeal within 60 days of receipt of the notice of appeal by the City, unless otherwise agreed by the appellant.
- (g) If the notice of appeal is accompanied by a payment or other bond or other sufficient surety with offices for local presentment in a form satisfactory to the city attorney in an amount equal to the original determination of the roadway impact fee due, satisfactory to the city attorney in an amount equal to the original determination of the roadway impact fee due, the City shall process and may issue a building permit if other requirements are met while the appeal is pending.
- (h) If the city council allows for a different amount of the roadway impact fee due for new development under this Section to be paid, it may cause to be appropriated from other City funds the amount of the reduction in the roadway impact fee to the account for the service area in which the new development is located.
- (i) The appellant shall promptly pay to the city the full amount of the roadway impact fee determined to be due by the city council regarding such appeal. Failure to promptly pay such roadway impact fee within five business days after the city council's determination on the appeal shall serve as authority for the city to present the bond or other surety to the bonding company or financial institution for performance with no other or further notice or contact with the appellant.
- (j) The appellant shall bear all costs of the appeal.

IV.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted

and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ and **APPROVED** on first reading this the ____ day of _____, 2023.

READ, APPROVED and **ADOPTED** on second reading this the ____ day of _____, 2023.

CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

MEAGAN SPINKS, City Clerk