

## ORDINANCE

### AN ORDINANCE TO PROTECT AND PRESERVE CITIZEN PROPERTY VALUES IN LUBBOCK BY LIMITING TAXPAYER SUBSIDIZED PROFITS FOR REAL ESTATE DEVELOPERS IN SOUTH AND SOUTHWEST LUBBOCK

**WHEREAS**, the current arrangement of city policies are taking resources from city taxpayers to subsidize profits for real estate developers to build residential subdivisions in the south and southwest portions of Lubbock that will be financial burdens on the City of Lubbock and its citizens as the subdivisions age and require infrastructure maintenance; and

**WHEREAS**, cities in Texas have the authority to create ordinances that either incentivize or disincentivize private property investment in different areas through activities such as but not limited to, impact fee discounts, zoning, subdivision and property development, codes enforcement, property tax abatements, and infrastructure prioritization; and

**WHEREAS**, Chapter 395 Texas Local Government Code, provides procedures for the creation and implementation impact fees; and

**WHEREAS**, it is the citizenry of Lubbock's expectation that its City Council will act in their best interest by adopting policies and allocating resources towards protecting, preserving, and improving the property values of all citizens currently residing in Lubbock; and

**WHEREAS**, the City Council commits to a maximum impact fee policy for new residential subdivision development in the south and southwest; and

**WHEREAS**, Chapter 395 of the Texas Local Government Code allows for differences in impact fee rates within a city, Sec. 395.012 enumerates the costs of constructing capital improvements or facility expansions that can be imposed as an impact fee. The exact amount changes over time as the plans for capital improvements are updated.

### **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUBBOCK:**

Chapter \_\_\_\_\_

- A. The maximum amount for all impact fees enacted by the City of Lubbock as authorized by the Texas Local Government Code shall apply to any residential subdivision approved that is located west of Milwaukee Avenue and south of any portion of 82nd Street.
  1. If any piece of an approved residential subdivision extends outside the boundaries as defined above, impact fees shall apply to the parcels which fall outside those same boundaries.
- B. Impact fees shall not apply to any residential subdivision that does not in whole or in part extend outside the aforementioned boundaries.