

ORDINANCE NO. 2026-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS UPDATING AND AMENDING THE WATER AND WASTEWATER IMPACT FEES TO BE CHARGED BY THE CITY IN CONNECTION WITH UPDATES TO THE CITY'S LAND DEVELOPMENT CODE AND COMPREHENSIVE PLAN AND ASSOCIATED LAND USE ASSUMPTIONS, INCLUDING AMENDMENTS TO SECTION 86.294 OF THE SAN MARCOS CITY CODE TO ADD SUCH NEW FEES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. In accordance with the provisions of Chapter 395 of the Texas Local Government Code, the City's consultant has prepared the 2026 Water Impact Fee Study and 2026 Wastewater Impact Fee Study for the City of San Marcos attached hereto (the "Impact Fee Reports") and recommended changes to the water and wastewater impact fees charged by the City.

2. The Capital Improvements Advisory Committee has considered the report and has made recommendations to update to the City's water and wastewater impact fees and land use assumptions in accordance with the Impact Fee Reports.

3. The City Council finds that the approval of the updates as set forth in the Impact Fee Reports furthers the public health, safety and general welfare by recovering the costs to extend water and wastewater to serve new development.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The Impact Fee Reports attached hereto and made a part hereof are hereby approved and adopted.

SECTION 2. The updated water and wastewater impact fees recommended in the Impact Fee Reports and as shown in the tables therein, attached hereto and made a part hereof and the land use assumptions in the Impact Fee Report are hereby approved and adopted.

SECTION 3. Section 86.294 of the San Marcos City Code is hereby amended to read as shown below. Underlining indicates new text.

Sec. 86.294. Definitions.

Schedule 1 means the maximum impact fee per service unit for each service area shall be established by category of capital improvements calculated by peak flow as outlined in section 86.297 and as shown in the table below:

SCHEDULE 1
APPLICABLE WATER AND WASTEWATER IMPACT FEE AMOUNTS*
CITY OF SAN MARCOS, TEXAS

Calculated Peak Water Flow (gpm)	Living Units Equivalent LUE's by Flow	Impact Fee Prior to 10/4/2002	Impact Fee after 12/31/2003**	Impact Fee after 12/31/2013	Impact Fee after 4/30/2018	<u>Impact Fee after 9/30/2026</u>
WATER UTILITY						
1 to 10	1.0	\$363.00	\$2,466.00	\$2,285.00	\$3,801.00	<u>\$14,519.00</u>
>10 to 15	2.0	\$726.00	\$4,932.00	\$4,570.00	\$7,602.00	<u>\$29,038.00</u>
>15 to 25	4.0	\$1,452.00	\$9,864.00	\$9,140.00	\$15,204.00	<u>\$58,076.00</u>
>25 to 50	6.0	\$2,178.00	\$14,796.00	\$13,710.00	\$22,806.00	<u>\$87,114.00</u>
>50 to 80	8.5	\$3,085.50	\$20,961.00	\$19,422.50	\$32,308.50	<u>\$123,411.50</u>
>80 to 160	32.5	\$11,797.50	\$80,145.00	\$74,262.50	\$123,532.50	<u>\$471,867.50</u>
>160 to 250	64.5	\$23,413.50	\$159,057.00	\$147,382.50	\$245,164.50	<u>\$936,475.50</u>
>250 to 500	104.0	\$37,752.00	\$256,464.00	\$237,640.00	\$395,304.00	<u>\$1,509,976.00</u>
>500	150.0 + (Peak Flow in gpm - 500 gpm)/0.41 gpm/LUE	# of LUEs × \$363.00	# of LUEs × \$2,466.00	# of LUEs × \$2,285.00	# of LUEs × \$3,801.00	<u># of LUEs × \$14,519.00</u>
WASTEWATER UTILITY						
1 to 10	1.0	\$527.00	\$2,185.00	\$3,506.00	\$2,684.00	<u>\$11,161.00</u>
>10 to 15	2.0	\$1,054.00	\$4,370.00	\$7,012.00	\$5,368.00	<u>\$22,322.00</u>
>15 to 25	4.0	\$2,108.00	\$8,740.00	\$14,024.00	\$10,736.00	<u>\$44,644.00</u>
>25 to 50	6.0	\$3,162.00	\$13,110.00	\$21,036.00	\$16,104.00	<u>\$66,966.00</u>
>50 to 80	8.5	\$4,479.50	\$18,572.50	\$29,801.00	\$22,814.00	<u>\$94,868.50</u>
>80 to 160	32.5	\$17,127.50	\$71,012.50	\$113,945.00	\$87,230.00	<u>\$362,732.50</u>
>160 to 250	64.5	\$33,991.50	\$140,932.50	\$226,137.00	\$173,118.00	<u>\$719,884.50</u>
>250 to 500	104.0	\$54,808.00	\$227,240.00	\$364,624.00	\$279,136.00	<u>\$1,160,744.00</u>
>500	150.0 + (Peak Flow in gpm - 500 gpm)/0.41 gpm/LUE	# of LUEs × \$527.00	# of LUEs × \$2,185.00	# of LUEs × \$3,506.00	# of LUEs × \$2,684.00	<u># of LUEs × \$11,161.00</u>

Maximum fees for prior to 10/4/2002 update are:

Water \$363/LUE

Wastewater: \$527/LUE

Maximum fees for 2002 update are:

Water \$2,466/LUE

Wastewater \$2,185/LUE

Maximum fees for 2013 update are:

Water \$2,285/LUE

Wastewater \$3,506/LUE

Maximum fees for 2018 update are:

Water \$3,801/LUE

Wastewater \$2,684/LUE

Maximum fees for 2026 update are:

Water \$14,519/LUE

Wastewater \$11,161/LUE

*Applicable amount may be reduced by any city-approved offsets.

**Exemption rate in Ordinance 2002-81 is still in effect for remaining qualifying lots.

SECTION 4. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 5. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed or modified accordingly to be consistent herewith.

SECTION 6. This ordinance shall become effective upon adoption on second reading with the new impact fees being effective and applicable on October 1, 2026.

PASSED AND APPROVED on first reading on August 5, 2026.

PASSED, APPROVED AND ADOPTED on second reading on August 18, 2026.

Jane Hughson
Mayor

Attest:

Approved:

Elizabeth Trevino
City Clerk

Samuel J. Aguirre
City Attorney

ATTACHMENTS
Impact Fee Reports
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