



Attorney to Ascension Growth Organization: Developers like impact fees

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GONZALES -- Attorney Charles Landry told the Ascension Growth Organization Thursday that in many localities developers "actually like impact fees."

The fees are predictable, and developers are not faced with uncertain expenses that can be imposed by government, he said.

The fees also eliminate costly traffic and drainage studies because the impact fees make the studies unnecessary, Landry said.

Landry of the Jones-Walker law firm is part of a consultant team retained by Ascension Parish government to consider the future direction of parish growth, including traffic impact fees. Other members of the consulting team are Michael Songy of the architecture and engineering firm of CSRS and Karen Fernandez of Fernandez Planning of New Orleans.

Landry said a report by the consultants will be presented to parish government officials at the end of August. The report is being prepared with the assistance of a "diverse" 19-member committee of citizens, plus input gained at numerous "town hall" meetings.

Impact fees are being considered because "development in Ascension Parish is way ahead of the ability of infrastructure to handle it," he said. The fees are charges levied against new developments to generate revenue for new or expanded capital improvements necessitated by new developments.

In some localities fees are imposed for drainage, police and fire protection, education, solid waste, libraries and other services.

Currently the Ascension Parish is considering traffic impact fees for road improvements to offset the impact of additional traffic congestion in an area as the result of new development.

"An impact fee is not a tax. It cannot be used to fix existing problems," Landry said.

Instead of "long-time residents who have been paying taxes paying for road improvements necessitated by new development, newcomers would foot the bill" by paying impact fees, Landry said.

Impact fees collected by parish government go into a separate fund that accrues interest and is spent in the area where it is generated," he said. "If the money is not spent in five to 10 years, it is refunded to property owners," Landry said.

There have been discussions concerning who actually pays the impact fees: the owner who sells land to the developer, the developer, the builder or the purchaser of the home in a development.

"The citizens' committee will spend most of its time considering who has to pay the fees if impact fees are adopted by the parish," Landry said.

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