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County Commission gives new church an \$82,670 break

By LE ROY STANDISH/The Grand Junction Daily Sentinel

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A church, moving from within the city of Grand Junction to 33 acres in unincorporated Mesa County, is the first to successfully challenge Mesa County's transportation impact fee since the fee was established in 2005, according to Ken Simms, senior transportation planner for the Regional Transportation Planning Office.

The victory for the First Assembly of God Church spares it \$82,670 in transportation impact fees. The church's victory also may mean some changes are on tap for how, and on whom, transportation impact fees are leveled in the future.

The fees are charged to developments that, through studies, are found to increase traffic. The amount each development pays is based on the overall increase of traffic deemed to be created by the project.

"If your development is adding impact to the Mesa County road system, a (transportation impact fee) is applicable," said Grant Griffin, transportation impact fee coordinator for the county.

Church officials, and more importantly the three members of the Mesa County Commission, disagreed.

Unanimously, the commission decided to waive the church's impact fee, primarily because it already has done \$1.1 million worth of improvements to U.S. Highway 6&50, the entrance to the new church, at the behest of the Colorado Department of Transportation.

County staff objected to that line of reasoning during a commission hearing last week.

Simms said the improvements done by the church — ingress and egress lanes in both directions on U.S. 6&50 — may help with "conveyance," but not "capacity."

Simms added the church could not simply transfer its traffic from one area of the Grand Valley to another without paying an impact fee. Transportation impact fee credits remain with the land, he said.

For instance, if the church would have moved onto a property that formerly had a business, county staff would have considered the amount of traffic historically generated by that location. If traffic were equal to or less than volumes in the past, the church would not be assessed an impact fee.

Church board members asked the County Commission to consider the money already spent by the church and to consider how much of an impact a church, which does most of its business on just one day of the week, Sunday, really has on U.S. 6&50.

"We are just looking for a little help from you because economic times have hit us hard," said Wayne Jones, a church board member.

After deliberation, Commissioner Steve Acquafresca suggested to his colleagues the transportation impact fees should be revisited by the commission. He directed Kurt Larsen, director of Mesa County Planning and Economic Development, to bring the commission proposals for changes to traffic impact fees.

Commissioners Rowland and Meis agreed with Acquafresca and suggested transportation impact fees need to be discussed in some detail.

"There is no question that development should pay its own way," Meis said. "Do I think you need a transportation impact fee to pay for that growth? No."

Meis said new homes are his idea of growth, not new businesses. The new homes pay their own way by having property owners paying property taxes, he said.

Meis went on to say that the transportation impact fee was just a way to get around the Taxpayer's Bill of Rights, a state constitutional amendment intended to control government growth, which keeps municipalities from raising taxes without voter approval.

"It is a cost shift (from taxes to fees)," Meis said. "We used to exist without (transportation impact) fees."

None of the commissioners attend First Assembly of God. Rowland said she formerly attended but stopped about a year ago.

#### First Assembly of God facts

- Current location: 402 Grand Ave.
- Future location: 2066 U.S. Highway 6&50.
- Capacity at both the old and new church is 700. The new church will have future expansion phases. Phase two calls for 1,500 capacity.
- Original location built in 1952.
- Future location remains under construction

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