

# County can't stop impact fees

By: Vincent Vala | Culpeper Star Exponent

Published: June 24, 2012

Despite a recent call from the Culpeper Chamber of Commerce for the county not to implement traffic impact fees on new or expanding developments next month, county officials say it is too late for the locality to stop or delay the ordinance's July 1, 2012 implementation date.

No public hearings or meetings to address the issue have been scheduled by the county to reconsider implementation of the Culpeper County Road Impact Fee Ordinance, which is scheduled to take effect roughly one week from today.

The ordinance will add a traffic impact fee as a condition of the issuance of building permits, including changes of use. For each new single-family dwelling, an impact fee of \$563.13 will be charged by the county.

The fee structure for other uses is detailed in the ordinance, which may be viewed on the planning and zoning page of the Culpeper County website, [culpepercounty.gov](http://culpepercounty.gov).

Earlier this week, Chamber President/CEO Jim Charapich wrote a column for the Culpeper Star-Exponent presenting the chamber's opposition to the traffic impact fees, stating that the costs to potential developers and existing businesses could discourage them from considering Culpeper County and the Town of Culpeper as cost effective sites for new or expanded businesses.

"The new traffic impact fees could actually increase residential tax rates by discouraging revenue from new business or business growth in our community," Charpich wrote. "The Chamber of Commerce opposes the implementation of traffic impact fees and encourages the board of supervisors to reconsider their vote to begin imposing the traffic impact fees effective July 1, 2012."

County Planning Director John Egertson said state laws do not provide enough time for action to be taken before then, and the county cannot prevent the ordinance from taking effect on July 1.

The county could decide to take action after the ordinance takes effect next week, Egertson said.

Under state law, the revenues generated are to be used for road and traffic improvements. The fees may not be used for other services, such as schools, police or fire, he said.

Egertson said the county established a local committee to consider a detailed traffic impact fee structure after the state passed legislation in 2008 allowing localities to adopt such ordinances.

After several drafts and revisions of the ordinance, Egertson said the measure was reviewed and approved by both the Culpeper Town Council and the Culpeper County Board of Supervisors in 2010.

Egertson said the county board voted to adopt the traffic impact fees on Dec. 7, 2010, with the adopted ordinance originally scheduled to take effect July 1, 2011.

Given the slow economy in early 2011, the board decided to delay the fees' implementation for one year after the chamber and local business representatives expressed concerns about their potentially negative impacts.

"There was a discussion by the board earlier this year about delaying it again, but no motion was made to change the date for implementation," Egertson said.

Charapich said the concerns of the local business community have not changed over the past year.

"We all understand the need for additional revenue, but it is our hope that the board will reconsider," Charapich said.

Charapich said there is a concern that the fees will have a negative impact on the opportunity for business development in Culpeper, and thus restrict potential traditional tax revenues from business into the county.

"The economic outlook is uncertain and we need to leverage every opportunity to ensure our economic success," Charapich said.

"Traffic impact fees are a potential barrier to opportunity with little projected revenue to offset the risk," he said.

Charapich said the chamber has sent a letter to the board formally requesting that the county revisit the issue.

“Our mission is to be the voice of the business community working to promote, build, and support the most effective climate for economic development. Traffic impact fees do not promote the most effective climate for economic development. Thus, the Culpeper Chamber is opposed to their implementation,” he said.