



Print this Page

[Return to story](#)

Culpeper approves impact fees

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BY DONNIE JOHNSTON

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Despite overwhelming opposition from the business community and residents, Culpeper last night became the first county in Virginia to adopt traffic impact fees under 2008 legislation.

The vote was 4-3 with Chairman Bradley Rosenberger, Sue Hansohn, Larry Aylor and Steve Walker in the majority.

"If we want more roads, somebody is going to have to pay for them," said Hansohn. "If someone has a better plan than this, I'd love to hear it."

Under the new ordinance, which will take effect July 1, anyone building anything in Culpeper town or county that generates traffic will have to pay an upfront fee of \$563.13 per service unit.

A service unit is one that generates 10 trips per day. A single family residence is considered one service unit.

Money from the fees will, as directed by state legislation, go to three designated road projects--the Western Outer Loop, the town's Inner Loop and a reconfiguration of Nalle's Mill road near U.S. 15 and 29.

All construction, even on by-right property, will be subject to the fees.

While the initial fee will be relatively small for someone building a house (the fee is paid when a building permit is pulled), it will be considerable for commercial ventures.

In his presentation to the board, County Planner John Egerston estimated that the Montanus site (now Culpeper Colonnade) would have paid more than \$800,000 in traffic impact fees had they been in place when the shopping center was developed.

Walgreen Drug, with a drive-through, would have paid about \$34,000, he said.

But, Egerston added, any proffers collected would be subtracted from impact fees.

Banker Steve Southard said that a \$40,000 traffic impact fee would probably prevent his bank from building a branch on the other side of town that would create five or six new jobs.

"That's a lot of money for a small bank," he said. "You're shooting us in the foot."

Southard added that he took exception to the fact that state figures indicate that three new drive-through lanes would generate an additional 1,200 trips per day.

"I don't think all the banks in Culpeper generate that many," he said.

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Builder Anthony Clatterbuck said he feared that this fee, like many others, will quickly escalate and drive one more nail into an already dead construction industry's coffin.

"This is the wrong message at the wrong time," declared real estate agent Tom Boyd. "We've got a world of [economic] hurt still ahead of us."

Curt Christensen presented the board with a petition containing 95 names from the Richardsville area of people opposed the impact fees. He asked for a public referendum on the matter.

"You couldn't have picked a worse time to institute a new tax," he said.

Billy Barron called the impact fees "an intrusion on landowner rights," and as for the 10 trips per household per day state estimate, joked, "I must come from a trip-deprived household."

Aylor, who was part of the committee that worked on the impact fee project, was all for their adoption. But supervisors Bill Chase, Steve Nixon and Tom Underwood were not.

"This is very, very anti-business and will hurt this community," said Chase. He added, "In my house there is a depression."

"We need a source of revenue [for roads] but not a flawed one," said Underwood.

And Nixon said he thought real estate taxes might still need to go up to pay for roads because the impact fees wouldn't generate enough revenue.

Rosenberger said he had been seeking traffic impact fees since he came on the board in the 1980s.

Coming into the meeting the voting lines had been drawn, with one exception--Walker, considered the swing vote.

"With this, people who are creating the cost are sharing the burden," Walker said. "I hope that next there will be school impact fees."

Only high-growth counties in Virginia are allowed to charge traffic impact fees.

Stafford is the only other county to have traffic impact fees, but they apply only to certain parts of the county and were permitted under special legislation two decades ago.

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