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## **Habitat for Humanity will not have to pay \$28,000 roads fee**

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Habitat for Humanity will not have to pay a \$28,000 road impact fee when it moves its industrial recycling operation, known as ReStore North, a quarter-mile from its present building in a Templeton industrial park.

Supervisors disagreed with their Department of Public Works, which said the nonprofit's new building on Limestone Way would generate additional traffic because it would include a small retail component, and should pay a fee for that.

Even with the retail, however, Habitat's operation remains light industrial, supervisors decreed Tuesday.

Habitat for Humanity recycles materials from construction sites and landfills, and builds affordable housing throughout the county. It had said it could not afford the fee.

Road impact fees, established in 1991, are the county's way of getting money up front from developers whose subdivisions will have a profound effect on traffic. The county also collects fees for other endeavors that might cause traffic, such as building a secondary dwelling or, as in Habitat's case, expanding or moving a business.

"Payment of a road impact fee is an essential component of meeting the county's transportation needs and mitigating the proposed project impacts," according to a staff report from Glenn Marshall, development services engineer.

Marshall reiterated to the Board of Supervisors that the fee was necessary. Not requiring it would mean "you're allowing a trip generator to not pay their fair share," he said.

According to county figures from 2008, there had been 27 appeals of fees for residential construction. Of those, supervisors had denied 23.

They tried hard to find legal justification to waive Habitat's fee, because they hold the organization in such high regard. "We're desperately seeking a way to make this work," said Supervisor Jim Patterson.

"Most of what they do is re-purpose and re-sell stuff that otherwise might be sent to the landfill," said Supervisor Adam Hill.

Habitat's Jon Pollock said Habitat diverts 100 tons a year that was headed to a landfill.

Supervisor Katcho Achadjian, citing the nonprofit's "benefit to the community," said "there's got to be a way" to let them off the hook on the road fee.

However, Deputy County Counsel Tim McNulty warned supervisors that, legally, the board could not make a decision based solely on Habitat's good works. That, he said, would give the board "too much discretion to decide who's good and who isn't."