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Proffers could jump in Stafford

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By RUTH FINCH

A proposal to increase Stafford County's proffer guidelines by \$17,752 per house has some developers scratching their heads.

"What are they trying to do?" said Harvey Gold, spokesman for the Fredericksburg Area Builders Association. "I have no idea what's behind this. If there's a plan or advice or strategy, I don't know what it is."

Proffers are carefully negotiated but voluntary contributions, usually of money or land, that developers seeking rezonings give to counties. Counties use the money or land to help build new roads, schools, parks or other facilities needed to accommodate the new residents.

A committee of supervisors added up the per-household cost of providing facilities and services, including parks, schools, libraries, fire and rescue and transportation. They came up with \$38,151 per single-family house, up from the \$20,399 they approved the last time the proffer guidelines were updated, in 2000.

Under the proposed guidelines, other housing types such as townhouses, apartments and mobile homes would pay less because those homes typically have fewer occupants.

Supervisors will have a public hearing on the proposal later this fall. If approved, the starting point for developers seeking rezonings in Stafford will be nearly \$16,000 more than in Spotsylvania County, three times as much as in Caroline County and almost five times as much as in King George County.

The magnitude of the increase gave Stafford Supervisor Gary Snellings pause. He asked for a delay in sending it to a public hearing, but was outvoted.

"We're talking about tacking on \$38,000 to the cost of a home," Snellings said at a board meeting earlier

this week. "I'm not saying it's not needed, but I'm concerned about that."

Supervisor Pete Fields, who served on the committee that recommended the new proffer guidelines, said the higher number reflects the higher cost of building facilities such as schools and roads.

For example, the recommended proffer guidelines call for each new house to pay for one lane of traffic for one mile. That comes out to about \$13,621 just for the transportation proffer, nearly \$10,000 higher than the transportation proffer is now.

"We can all see how serious our transportation needs are and how much it will cost to solve those problems," Fields said.

But Clark Leming, a land-use attorney in Stafford, wonders what's the point of raising the proffer guidelines, considering Stafford's lousy track record of collecting them.

According to the Virginia Commission on Local Government, Stafford collected just \$371,608 in cash proffers last year. That's less than a third of what Spotsylvania collected. Even the city of Fredericksburg, which doesn't have a formal proffer guideline, collected more.

The reason, Leming said, is because proffers are collected only when land is rezoned, and Stafford has refused to rezone property.

Since 2003, a handful of developers willing to pay the full proffer amount have proposed housing projects in various parts of the county, but supervisors have been so unwilling to consider rezoning for higher residential density that most never even formally submitted an application.

"If this is a signal that the board is now ready to consider some rezonings, that's good news," Leming said. "But there's no point to the whole exercise if they don't rezone. Zero plus zero is still zero."

Fields said that the county has never outright refused to consider residential rezonings. Rather supervisors consider each project on its own merits. It is a hard sell, though, Fields said, considering the county already has 40,000 lots that could be built upon without a rezoning.

"In that context, to add another project to the existing inventory, it really has to be an outstanding project with a broad public benefit."

Fields and Leming agree that the county would be better off working under an impact-fee system rather than a proffer system. Impact fees apply to all new construction, not just those that require a rezoning.

Stafford was the first county in the state to implement transportation impact fees, in its Hartwood and George Washington districts.

Both Leming and Fields say they will lobby the General Assembly for the power to charge school impact fees, too.

In the meantime, Fields said, the board should do the best it can with the power it has.

"The proffer tool is the tool we have, so we have to make it fair and we have to make it work," he said.

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