

Tulare County Board of Supervisors establishes authority to set county impact fees

Written by

DAVID CASTELLON

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Tulare County supervisors have approved a pair of ordinances that will allow them to charge impact fees for new home and business construction in unincorporated parts of the county as well as cities.

But Supervisor Allen Ishida told people attending Tuesday's meeting that the county isn't imposing those fees right now and may not do so for four or five years.

"So we're not adopting fees. We're adopting the ability to put fees in place," he said. Tuesday's vote was a means of planning ahead, he said.

The county is seeking to eventually impose the following:

^a A traffic impact fee to help pay for widening and improving roads that would be most heavily traveled as the number of people living and working here grows.

^a A facilities impact fee to help pay to expand county services and buildings, including libraries, law enforcement, fire protection, public health, agriculture services, jails and parks.

All eight Tulare County cities already charge their own impact fees for new development, but not the county.

Ishida said charging such fees in the unincorporated areas as well as in the cities is fair because 95 percent of the county's population lives in Tulare County's eight cities. And those people use county roads and services — from sheriff's services to criminals being housed in county jails.

"If we depended on just the unincorporated residents to provide these things, that's just 5 percent of our population," he said.

The Home Builders Association of Tulare/Kings Counties Inc. has opposed the county impact fees in cities on top of the fees they already charge, claiming the

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added costs would torpedo the construction market here that already has been hit hard by the economic downturn.

For example, studies showing possible county impact fees presented to the board earlier this year showed the total facilities fees for a new, single-family home would total \$4,324 in Visalia, \$3,997 in Tulare and \$12,692 in unincorporated towns.

Another report showed the traffic impact fees for a new, single-family home in Visalia or Tulare at \$2,181 but only \$816 in Woodlake.

Bob Keenan, president and chief executive officer of the Home Builders Association, told supervisors that building data used in the impact fee studies is from before the housing and construction markets went sour — when a lot of new development was in the works and real estate prices were high — making the findings flawed and inaccurate.

"Nobody wants to comment because they found the studies totally useless," he said, adding that the county should put off approving the fee ordinance until it finishes the county General Plan Update, which is still in the works.

Ishida said the impact fees have been one of the major sticking points that has delayed the update.

In fact, the negotiations have been going on for about three years, after the cities submitted a 50-page list of objections to the county's initial draft of the General Plan

Update, said county Chief Administrative Officer Jean Rousseau.

"We negotiated for a sharing of the revenues as cities grow outside their boundaries," he said.

The county has asked for a bigger portion of the cities' sales taxes and a portion of their transient occupancy taxes — charged to guests at hotels, motels and inns — as well as having the cities collect county impact fees for new construction in the cities' limits.

In return, the county offered to adopt construction standards that parallel those of the cities for new construction in their urban development areas — land around cities that might eventually be incorporated into cities as they're developed — and to limit some new developments not compatible with the cities' interests in those areas, Rousseau said.

In addition, the county would agree to collect impact fees for the cities in their

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urban development areas if they complete the legal process to initiate such fees, he added.

So far, only Dinuba has agreed in concept to collect impact fees for the county, though the details of how that would work have yet to be worked out, Rousseau said.

Of the four supervisors at Tuesday's meeting - minus Supervisor Steve Worthley, who was on vacation — only Phil Cox cast a no vote for adopting the traffic and facilities impact fee ordinances. He said he believed the county and cities were close to reaching agreements on fee collection and voting to approve the ordinance Tuesday would be premature.

Supervisor Pete Vander Poel said he also believed the two sides were close, but he supported approving the authority to set the fees, though he wouldn't want to impose those fees just yet.

Six cities in the county — Visalia, Tulare, Porterville, Woodlake, Exeter and Farmersville — are negotiating jointly with the county on collecting the impact fees, said Dan Meinert, Tulare's interim city manager.

"Those six cities and the county have, I think, agreed in principal to the form of the memorandum of understanding," he said. Though the process of how to implement those fees and their amounts have yet to be worked out.

Meinert said officials with the six cities agree the counties need impact fees,

noting that had the fees been in place during the Valley's housing boom, the county would now have money to expand jails and other facilities.

As for Lindsay, "We're not negotiating with the county," said Assistant City Manager Clayton Lucas, adding that city officials wouldn't comment further on the matter.

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