

[Print this Page](#)

VEDC Questions County Impact Fee Plan

**Official: 'County Could Face Costly Legal Fees'
if Plan Approved**

By George Lurie

Visalia - The chairman of the Visalia Economic Development Corp. is voicing concern over a still-controversial plan by Tulare County officials to impose development impact fees.

In a letter sent last week to Tulare County Chief Administrative Officer Jean Rousseau, VEDC Chairman Mike Porte said his organization has issues with the proposed traffic and public facilities impact fees in terms of their “cost and the process for establishing and implementing them.”

Porte told Rousseau that while the VEDC's mission is to support economic development, enhance business and create an environment that allows for job creation, “the [VEDC's] Board of Directors is concerned about the chilling effect that costly new fees will have on future development, both commercial and residential, and the impact that lost development will have on the fiscal health of Visalia and other incorporated cities” in Tulare County.

Porte argued that the county's proposed fee structure would put Visalia and other incorporated cities “at an unfair disadvantage compared to other cities that are not imposing such fees.”

If adopted, the fees will apply to all new development in the county's unincorporated areas as well as within the incorporated cities, which already charge developers their own set of impact fees.

As currently proposed, the new county fees would add an estimated \$6,828 to the construction cost of a new single-family house in Visalia, \$6,501 in Tulare and \$5,325 in Porterville.

Office development would be levied an additional \$3,640 per 1,000 square feet in Visalia and Tulare, and \$2,290 per 1,000 square feet in Porterville.

“Despite some of the rhetoric that has been floating around out there, these fees are from set in stone,” said County Administrative Officer Jean Rousseau this week.

“The Board of Supervisors is very sensitive to the local economy and whatever

we do, we'll put a plan in place that has the least amount of impact to the county and its residents.”

With the exception of those in Dinuba, city officials around the county have yet to fully embrace the Board of Supervisor's revenue-generating plan. And area developers and builders as well as those in the real estate industry are actively opposing the proposal, which Rousseau said likely will not be implemented for several years.

“The cities have wanted Tulare County to implement impact fees the past five or 10 years to even the playing field,” said Rousseau, adding: “Draft copies of impact fee reports were first circulated to city representatives in October 2008. At that time, we received no comments back.”

In his letter to Rousseau, Porte said: “Competition today is already tough and every lost opportunity is lost jobs and lost revenue at all levels.”

While encouraging the Board of Supervisors – via Rousseau -- to consider conducting more outreach to the business community before finalizing the impact fee plan, Porte also warned of the “very real legal question looming over this issue” – expressing sentiments already voiced by developers and building industry officials as to whether the county has the legal right to impose the fees.

“If the fees are instituted and challenged in the courtroom,” Porte said, “the County would face costly legal fees and, in the end, have lost rather than gained revenue.”

But Rousseau said threats of legal action will not influence the county's decision to implement the new fees. “We will develop a local ordinance consistent with what other cities and counties up and down the state are already doing in this regard... We will perform as much outreach as possible.”

“But the fact is that 97 percent of growth [in Tulare County] takes place in cities,” Rousseau added. “And if we are going to put an impact fee program in place, in order for it to be effective and help the county with its future capital needs, the cities need to agree to impose [the new fees] within their city limits.”

On Friday from 9 a.m. to noon, county officials will be conducting a public workshop that will provide an overview of their impact fee plan as well as allow for public comment. The workshop will take place in the Board of Supervisors Chamber in the county Administrative Building, located at 2800 W. Burrell Ave.

At the workshop, Tulare County staff and a consulting engineer from Omni-Means will provide an overview of the traffic impact fee proposal from 9 a.m. to 10:30 a.m. Staff and a consultant from Willdan Financial Services will brief attendees on the Public Facilities Impact Fee plan.

An announcement from the county states: “This public outreach is to provide a forum for citizen input on the important matter of funding future need for Tulare County transportation improvements and public facilities that will support growth and development consistent with the County's proposed General Plan Update.”

A note included in the announcement states: “Development community

encouraged to attend.”

The above story is the property of The Valley Voice Newspaper and may not be reprinted without explicit permission in writing from the publisher.