

IMPACT FEES STUDY COMMITTEE

CONSENSUS POINTS

The following 7 items form a consensus reached by the overall Impact Fees Study Committee. This consensus was reached at the September 16, 2008 meeting as a result of review and discussion of the attached supporting document entitled, "Tasks – Impact Fees Study Committee." That supporting document is attached to insure that all individual responses from each committee member are heard. The supporting document was created by (1) compiling all Committee member's individual responses to the basic questions, and (2) review and comment on those responses by a Subcommittee of two members and (3) discussion and editing at the September 16, 2008 overall Committee Meeting.

- 1. The timing of any Impact Fees Study should be coordinated with the creation of a qualifying Capital Improvements Element (CIE) in the Comprehensive Plan. The timing of the study and the CIE should also be considered in terms of current economic conditions so that study won't become outdated prior to its use in adoption of impact fees. Simply put, the study may have a limited "shelf life" before it becomes outdated and, therefore, needs to be redone.**
- 2. Regardless of whether water and sewer are included in any eventual impact fee program, the Committee feels strongly that water and sewer facilities should be included in any impact fee study commissioned by the Board of Commissioners. The reason is specifically to analyze the current charges for capacity fees, availability fees, meter fees and tap fees to insure accuracy and transparency of said fees relating to the actual cost of services.**
- 3. The Committee feels that even if transportation funding were to be included in any impact fee study done by the consultant that the Board of Commissioners should be extremely cautious about adopting impact fees for transportation funding due to the profound impact that transportation impact fees have on commercial development.**
- 4. The Committee requests that the Board of Commissioners reviews the front footage assessment policy for water and sewer to address the following issues:**

- A. Provide for an “automatic trigger” method of initiating repayment to the installing developer when new development later connects to the water or sewer lines/lift stations, (now, the developer must keep up with future connections and apply for repayment).
- B. Address assignment of the installing developer’s financial interest for repayment in the event of bankruptcy or dissolution of the developer’s corporate entity.
- C. Other similar issues.

5. If impact fees are enacted, the Board of Commissioners should consider collecting them at the latest possible time permitted by law. For example, collect them at the time a Certificate of Occupancy (C.O.) is issued rather than when the building permit is issued. This would help avoid “financing” said fees throughout the life of the construction loan. This also recognizes that some of the services paid for with impact fees may not be needed until the house is occupied.

6. The Board of Commissioners should make a concerted effort to inform the public of several basic facts about impact fees including:

- A. Impact fees can only be used to pay for services required to serve new development and only at the same level of services as existing development.
- B. Impact fees cannot be used to provide a new type of service to existing residents (i.e., a type of service not currently provided to those existing residents).
- C. Impact fees cannot be used to raise the level of service of an existing service to existing residents.

7. Impact fees should be adopted or not adopted based on Oconee County’s unique circumstances regardless of what other communities have done or may do.