

# The-Daily-Record.com

## Committee explores development impact fees

19 hours ago

By BRYAN SCHAAF  
Staff Writer

WOOSTER -- While the city waits for a traffic study on West Milltown Road to be completed regarding rezoning, Wooster City Councilman Jon Ansel's laws and ordinances committee met Monday to explore fees as a method to fund development.

Some residents have asking for council to explore the use of impact fees in recent months, especially in r Visconsi Land Co.'s proposed development north of Wooster High School. But Law Director Richard Benson told committee members the fees are not a cure-all for the city's ills.

"This issue was last brought before council in February or March of 2003," Benson said. "And the council time was that the pros did not seem to outweigh the cons. Some might think this is the magic bullet but it is one of many tools that city could use."

An impact fee is a municipal assessment against new residential, industrial or commercial development to compensate for the costs of public services generated by new construction.

Benson said he had been in conversation with law directors from Delaware and Beavercreek, two cities that have passed legislation for commercial/industrial developments, albeit with mixed reviews.

Beavercreek, a suburb of Dayton, was the first city to use impact fees on commercial/industrial development in the 1990s.

Since 1980, the population of the city increased from nearly 8,000 to 30,000 and its city council saw the need to help pay for increased infrastructure costs with the influx of new development coming to the area.

But after council passed the legislation, commercial developers filed a lawsuit against the city claiming they were being treated differently.

The matter was held up in court until 2000 when the Ohio Supreme Court handed down the decision that impact fees must be assessed with rough proportionality to the development's benefit, meaning that a city cannot require a developer to pay for 100 percent of the infrastructure improvements.

"Consistency is part of what this is all about," said Benson, who noted Delaware's new development has passed similar legislation in recent years. "If you're going to assess an impact fee, you have to establish and defend that impact fees are most useful in areas where there is no growth yet, but where it's just beginning. In Beavercreek's case, the ordinance was intended that new developments share a proportionate cost in the district. After the fee must be deposited into a separate fund and used only for capital improvements."

Should council opt for legislation to use impact fees, a consultant would be hired at a cost of "between \$100,000 and \$200,000."

\$150,000," who would do a city evaluation and derive a chart that would clearly spell out specific impact developments depending on their location, type and size.

Councilman Jon Ulbright, D-at large, questioned how impact fees would compare to the city's current me special assessments or concurrency (negotiating).

"Citizens and developers want to be treated in a consistent manner," Ulbright said. "Does an impact fee s consistency than the way we do it with special assessments and trip generation? Each case is different bu people that we have impact fees in place and we're going to consistently apply them from these various c the same numbers from year to year. With some things that might appear in special assessments, it might to year based on different numbers."

Benson said a study chart would help defend the use of impact fees.

"The nice thing about an impact fee is you have a study and support thanks to the (chart)," Benson said. V all depends on how good a poker player (administration director) Mike Sigg is in terms of sitting down w

Ansel, however, was weary that impact fees might scare away some businesses.

"In Delaware, for a new warehouse to be built, it would cost \$330,000 for every 100,000 square feet," sai "The recent Compak warehouse here in Wooster would've been charged a \$240,000 impact fee. That's a t to swallow when they could just say 'I think I'll go build over in Ashland instead.'"

Ansel said he plans on scheduling another committee meeting to discuss impact fees after researching the depth.

Reporter Bryan Schaaf can be reached at (330) 287-1645 or bschaaf@the-daily-record.com.