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Home > Today's Paper > Local News

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# Board of Supervisors: Kern to discuss plan for fees

BY JAMES BURGER, Californian staff writer  
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Kern County planning and road officials are fielding a plan that could shake a fundamental understanding of how development rights work locally.

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On Tuesday, they will recommend several ways Kern County supervisors could remove protections that keep traffic impact fee increases from affecting development maps that were approved years ago.

But Kern County Roads Commissioner Craig Pope said the staff is just giving supervisors options to discuss.

At stake — in the county areas of metro Bakersfield alone — is at least \$23.8 million in road improvement fees.

County officials say getting those fees may be critical to reducing air pollution and protecting the public from health impacts associated with smog and other pollutants.

Developers are working to understand what the county's proposal could do to their businesses.

Dave Dmohowski, a civil engineer in the industry, said he has yet to look over the information closely enough to make a statement about the county's plan.

But he said the protections for vesting tract maps were put in place in the 1980s to protect development from fee increases.

Developers, especially in Southern California, found they couldn't finish later phases of their developments because of "rapidly increasing impact fees" Dmohowski said.

City and county staff have proposed a per-home-lot fee of \$14,940 — a sharp increase from the city's current fee of \$9,500 and the county's fee of \$12,598.

County officials report there are 3,490 unrecorded housing lots in vested tract maps in the

unincorporated area of metropolitan Bakersfield. The county could lose \$23.8 million in traffic impact fees, a county report states, if all those lots were recorded and built under the \$5,780 per-lot fee that existed before December 2007.

And there are millions more at stake if the \$14,940 impact fee is passed by the county in the near future.

The extra \$2,342 per lot could bring in \$8 million more for county road-building efforts.

In the most aggressive option being presented to supervisors Tuesday, the county would reject all building permits until the developer agrees to pay the most recent impact fee.

Pope said that isn't necessarily county staff's recommendation.

"It could end up that way, but it's more of a response to the board about what our options are," Pope said. "This is more just an option item. We'll see where the item goes with the board."

### **VESTING**

When the county approves a "vesting tentative tract map" on a developer's property, it locks in the level of a wide range of fees the developer is required to pay — including impact fees.

The developer then has three years — with a possible three-year extension — to "record" the map and start pulling building permits.

Once the map is recorded the developer has one year — with a one-year extension — to pull those permits.

As long as those deadlines are running, the developer pays only the fees that were in place when the vesting map was approved.

#### **How they could change:**

Option one: The county could deny the three-year extension for tentative maps unless the developer agrees to the higher traffic fees.

Option two: The county could deny the one-year extension for recorded maps unless the developer agrees to pay the higher fee. The city of Bakersfield currently uses this option.

Option three: The county could deny all building permits pulled by developers unless they agree to pay higher fees.

#### *How to go*

*The Kern County Board of Supervisors meets for morning and afternoon sessions at 9 a.m. and 2 p.m. Tuesday at the county administrative center, 1115 Truxtun Ave., across N Street from the Rabobank Arena downtown.*

*You can also watch the meeting live on KGOV, the county's local cable television station. The station lists available channels at [www.co.kern.ca.us/gsd/KGOV](http://www.co.kern.ca.us/gsd/KGOV).*

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