

LEAGUE OF WOMEN VOTERS OF THE BARRINGTON AREA

POSITION: DEVELOPMENT IMPACT FEES

Position in Brief: SUPPORT THE IMPLEMENTATION OF DEVELOPMENT IMPACT FEES THROUGHOUT THE BARRINGTON AREA COUNCIL OF GOVERNMENTS (BACOG) AREA TO OFFSET THE COSTS OF NEW DEVELOPMENT.

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Who should pay for the costs associated with new development? The League of Women Voters of the Barrington Area (LWVBA) believes that some community infrastructure should and always will be funded through taxes, but development impact fees are also appropriate for capital improvement costs. Some combination of the developer, the home buyer, and the original land seller should pay for capital costs to the extent that these capital improvements benefit the new development. Growth in communities causes increased taxes, and impact fees on new development are preferable to tax increases. It would be appropriate to use impact fees for schools, libraries, parks/open space (including land donations or cash in lieu of land), transportation (roads), utilities (water/sewer), and emergency services (capital expenditures only).

Impact fees should be pre-determined by local ordinance and held in segregated accounts. There should be exclusions for low and moderate income housing in an effort to maintain affordability in the community. Although only municipalities have the authority to assess these fees, there should be input from the potential recipients of the fees (e.g. school, library, parks, and fire districts) in the structuring of the impact fee programs.

There should be standardized legislation regarding impact fees. At the State level, this legislation should be enabling only, and not directive. This may protect municipalities from legal challenges. The current state legislation is only for road impact fees, and should be broadened to include other types of capital improvements. The State guidelines should be regionally adaptable to home rule and non-home rule communities. The State should change the test for validity of impact fees to "rational nexus" from "specifically and uniquely attributable".

The LWVBA believes that BACOG should facilitate the development of the local impact fee program. There should be some consistency from one municipality's impact fee program to the next; a formula would be preferable to a set fee to accomplish a degree of standardization. Each municipality would enact its own ordinance consistent with State goals and regional plans.

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Study adopted at Annual Meeting, May 16, 1990

Position developed from member consensus at meeting, November 19, 1991

Position approved by LWVBA Board of Directors, January 28, 1992