



# IMPACT FEES

Principles and Practice of  
Proportionate-Share  
Development Fees

Arthur C. Nelson, MA  
James C. Nicholas  
Julian C. Juergensmeyer

A Planners Press Book

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# Practitioner's Guide To Development Impact Fees

**John Delafons**



## **Practitioner's Guide To Development Impact Fees:**

A Practitioner's Guide to Development Impact Fees James C. Nicholas, Arthur C. Nelson, Julian Conrad Juergensmeyer, 1991 This book is about development impact fees Impact fees shift a portion of the burden of the cost of new or expanded facilities to accommodate new development away from the community at large to new development itself

**Proportionate Share Impact Fees and Development Mitigation** Arthur C. Nelson, James C. Nicholas, Julian Conrad Juergensmeyer, Clancy Mullen, 2022-11-30 After decades of evolving practice often tested in court development impact fees have become institutionalized in the American planning and local government finance systems But they remain contentious especially as they continue to evolve This book is the third in a series of impact fee guidebooks for practitioners following A Practitioner's Guide to Development Impact Fees and Impact Fees Proportionate Share Development Fees Proportionate Share Impact Fees and Development Mitigation is the culmination of the authors careers devoted to pioneering applications of the dual rational nexus test That test requires 1 establishing the rational nexus between the need for infrastructure broadly defined to mitigate the impacts of development and 2 ensuring that development mitigating its infrastructure impacts benefits proportionately The book elevates professional practice in two ways First it shows how the rational nexus test can be applied to all forms of development infrastructure impact mitigation Second it establishes the link between professional ethics and equity as applied to proportionate share impact fees and development mitigation The book is divided into four parts with the first reviewing policy and legal foundations the second detailing the planning calculation and implementation requirements the third exploring economic ethical and equity implications and the fourth presenting state of the art case studies Proportionate Share Impact Fees and Development Mitigation sets new standards for professional practice

**A Guide to Impact Fees and Housing Affordability** Arthur C. Nelson, Liza K. Bowles, Julian C. Juergensmeyer, James C. Nicholas, 2012-06-22 Impact fees are one time charges that are applied to new residential developments by local governments that are seeking funds to pay for the construction or expansion of public facilities such as water and sewer systems schools libraries and parks and recreation facilities In the face of taxpayer revolts against increases in property taxes impact fees are used increasingly by local governments throughout the U S to finance construction or improvement of their infrastructure Recent estimates suggest that 60 percent of all American cities with over 25 000 residents use some form of impact fees In California it is estimated that 90 percent of such cities impose impact fees For more than thirty years impact fees have been calculated based on proportionate share of the cost of the infrastructure improvements that are to be funded by the fees However neither laws nor courts have ensured that fees charged to new homes are themselves proportionate For example the impact fee may be the same for every home in a new development even when homes vary widely in size and selling price Data show however that smaller and less costly homes have fewer people living in them and thus less impact on facilities than larger homes This use of a flat impact fee for all residential units

disproportionately affects lower income residents The purpose of this guidebook is to help practitioners design impact fees that are equitable It demonstrates exactly how a fair impact fee program can be designed and implemented In addition it includes information on the history of impact fees discusses alternatives to impact fees and summarizes state legislation that can influence the design of local fee programs Case studies provide useful illustrations of successful programs This book should be the first place that planning professionals public officials land use lawyers developers homebuilders and citizen activists turn for help in crafting or recrafting proportionate share impact fee programs      **Impact Fees** Author C Nelson,2017-11-08 This is the only impact fee book you ll need for the next decade or longer This comprehensive reference book updates the popular pioneering works on impact fees by introducing new methodologies concepts applications and theories The authors contend that it s time to go beyond narrowly defined impact fees to proportionate share development fees broadly applied to publicly provided facilities and services and their operation Impact fees are one time charges applied to new development to generate revenue for the construction or expansion of capital facilities outside the boundaries of the new development for system improvements engendered by the new development At least that was the traditional use of impact fees A generation ago they were generally not used legally for the operation maintenance repair alteration or replacement of capital facilities for social purposes such as affordable housing and daycare or for green purposes such as habitat preservation This book updates impact fee law practice and applications and breaks new ground by showing how the impact fee logic of proportionate share can be used for these and other purposes Through actual ordinances summaries of technical reports numerous case studies and model ordinances and codes readers will learn how to design and implement a proportionate share development fee program This is essential reading for anyone interested in impact fees      *Paying for Growth's Impacts* Washington (State). Growth Management Division,Kask Consultants,1992      *Development Impact Fees* Arthur C. Nelson,1988      *Impact Fees* Arthur Nelson,2017 This is the only impact fee book you ll need for the next decade or longer This comprehensive reference book updates the popular pioneering works on impact fees by introducing new methodologies concepts applications and theories The authors contend that it s time to go beyond narrowly defined impact fees to proportionate share development fees broadly applied to publicly provided facilities and services and their operation Impact fees are one time charges applied to new development to generate revenue for the construction or expansion of capital facilities outside the boundaries of the new development for system improvements engendered by the new development At least that was the traditional use of impact fees A generation ago they were generally not used legally for the operation maintenance repair alteration or replacement of capital facilities for social purposes such as affordable housing and daycare or for green purposes such as habitat preservation This book updates impact fee law practice and applications and breaks new ground by showing how the impact fee logic of proportionate share can be used for these and other purposes Through actual ordinances summaries of technical reports numerous case studies and model ordinances and codes readers

will learn how to design and implement a proportionate share development fee program This is essential reading for anyone interested in impact fees Provided by publisher *Impact Fees & Housing Affordability* Liza K. Bowles,2008 **Impact Fees and Housing Affordability** Liza Bowles,Arthur C. Nelson,2015 Impact fees are one time charges applied to new development Impact fees are a form of land use regulation designed to assure that communities maintain adequate levels of public facilities in the face of growth The resulting revenue generated for the construction or expansion of new facilities is coincidental to their land use regulatory i e police power purpose Were it not for growth many communities would have adequate public facilities and often if growth is at a manageable pace adequate public facilities can be provided concurrent with the impacts of growth To assure adequate public facilities impact fees are assessed and dedicated principally for the provision of additional water and sewer systems schools libraries parks and recreation facilities and other infrastructure made necessary by the presence of new residents in the area The funds collected cannot be used for operation and maintenance repair alteration or replacement of capital facilities As will be noted impact fees are not the best way in which to finance most public facilities from a variety of theoretical perspectives and instead taxes are However in the absence of the legal or political ability to raise taxes combined with a desire to maintain level of service quality in their communities elected officials may see impact fees as a pragmatic solution **Impact Fee Programs** Joni L. Leithe,Matthew Montavon,1990 *Impact Fees and Housing Affordability* Liza K. Bowles,2008 **Impact Fees and the Role of the State** DIANE Publishing Company,1995-06 Analyzes fee consequences and develops guidance for States in drafting enabling legislation for impact fees Recommends State standards and uniform procedures for local impact fee programs that will minimize effects on housing prices and also ensure adequate capital facilities to support growth Bibliography 9 tables and figures **Development Impact Fees and Other Devices** John Delafons,1990 **Public Needs and Private Dollars** William W. Abbott,Marian E. Moe,Marilee Hanson,1993 *A Local Officials Guide to Impact Fees* Rockingham Planning Commission,1987 Impact Fees Dan Hoxworth,1991 **Impact Fees** Dennis H. Ross,Scott Ian Thorpe, **Impact Fees and Housing Affordability** ,2008 **How Development Impact Fees Affect Residential Development** John Rappa,2002 Explains how development impact fees DIFs affect residential development **An Analysis of Development Impact Fees** Jonathan J. Reiner,University of Rhode Island. Community Planning,2004

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