

## Summary of Impact Fee Issues to Consider at January 21, 2010 Plan Commission Meeting

At our December 17, 2009 Plan Commission meeting two aspects of Impact Fee collection were clarified. Attorney Hustad reported that after his conversation with Sarah Pitz of Vierbicher Associates that: the Ordinance is clear that when a structure is destroyed by an act of God and rebuilt an Impact Fee is not required. Furthermore, the two determined that if a person razes a home and rebuilds on the same lot, then an Impact Fee is not required.

At the same meeting opposing viewpoints were expressed regarding whether Impact Fees should be collected with the replacement of mobile homes with a permanent residence. Hustad's proposal was to have the permanency of the mobile home determine whether collection of the fee was appropriate. If the mobile home retained a hitch and wheels and was not on a foundation Hustad reasoned that it was not permanent and that its replacement would require an Impact Fee if a building permit was required for its replacement with a permanent residence. Hustad also reported that he and Pitz considered the length of time that a mobile home was unoccupied or the duration that it was absent before reappearing on the site might have bearing upon whether an Impact Fee was appropriate if replaced with a permanent residence. Bob Elkins suggested that continuous occupancy for a year could be used as a standard.

Bob Elkins thought the nature of the foundation should also figure into the permanency of the mobile home: a mobile home attached to a basement would be more permanent than one set upon a slab.

John Freitag reasoned that the mobile home served as a residence previously and it did not matter if it was replaced with another mobile home or a permanent residence because there was no net increase of residential building sites.

Upon further discussion Bob Elkins questioned whether there should be a policy regarding mobile homes as there were so few in the Town.

Chair Seward stated that he would like to know whether a mobile home requires an Occupancy Permit.