

2012  
THIRD  
EDITION

2012  
THIRD EDITION

Comprehensively updated, this is a practical, detailed guide for determining the appropriate and legally defensible mix of exactions and fees local governments may employ to ensure that developments help solve ever-increasing community needs. The book also includes definitive explanations about the distinctions among taxes, fees, assessments, land dedications, land reservations, and other exactions and development requirements.

Topics include:

- The fiscalization of land use: realities in California
- Meeting local needs for infrastructure and public facilities through taxes, exactions, and other techniques
- Legal authority for and limitations on the imposition of exactions
- Local funding techniques: bonds, taxes, and fees
- Procedures for adopting various fees
- California's AB 1600 nexus legislation
- Methods by which developers are required to participate in the funding of public works and facilities
- A look at specific exaction issues of current interest around the state, including child care facilities and services, inclusionary housing, and transit impact fees
- Legal challenges to the imposition of exactions, dedications, fees, and charges
- An appendix that includes relevant code sections, as well as sample agreements and exactions studies

Authors:

**William W. Abbott** is a partner in the Sacramento law firm, Abbott & Kindermann, LLP, where he practices environmental, land use, municipal, and real estate law. He has served as a lecturer and program coordinator on land use law for various U.C. Extension campuses for more than twenty-five years, and as an expert witness on California land use procedures in state and federal court.

**Peter M. Dewiler** formerly served as the Staff Director for the California State Senate Committee on Local Government, where he advised legislators about bills affecting public finance, land use, and the powers of local agencies. Mr. Dewiler helped the Legislature write major reform bills on long-term finance, redevelopment, land use planning, LAFCOs, and growth management. This chapter reflects his own views, not necessarily those of the Committee Chair and the other members of the Senate Local Government Committee.

**Thomas Jacobson** is a Professor and Director of the Institute for Community Planning Assistance in the Department of Environmental Studies and Planning Department at Sonoma State University. From 1987 to 1994, Mr. Jacobson practiced law with McCutchen, Doyle, Brown & Enersen's Land Use and Local Government Group, where he represented both project applicants and public agencies. He is a member of the American Institute of Certified Planners and the California Roundtable, and Of-Counsel to the Sohagi Law Group.

**Margaret Sohagi** is owner and principal of the Sohagi Law Group, in Los Angeles, where she represents public entities, both from a legal and planning perspective. She is also an Adjunct Professor of land use law at USC School of Law, where she teaches land use law and is an instructor for the Judicial Council of California, teaching CEQA courses to trial, appellate, and Supreme Court judges and court attorneys.

**Harriet A. Steiner** is a partner in the Sacramento office of Best, Best & Krieger, LLP, where she practices land use, environmental, municipal, and telecommunications law. She has also served as City Attorney for the City of Davis for more than twenty-five years

Exactions and Impact Fees in California

# Exactions and Impact Fees in California

A COMPREHENSIVE GUIDE TO POLICY, PRACTICE, AND THE LAW



William W. Abbott  
Peter M. Dewiler  
Thomas Jacobson  
Margaret Sohagi  
Harriet A. Steiner

SOLANO  
PRESS  
BOOKS

William W. Abbott • Peter M. Dewiler • Thomas Jacobson • Margaret Sohagi • Harriet A. Steiner