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- ▶ Jobs
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- ▶ Film
- ▶ News
- ▶ Obituaries
- ▶ Opinion
- ▶ Real Estate
- ▶ Society
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- ▶ Newsflash
- ▶ Home Delivery
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- ▶ Letters Policy
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- ▶ Online
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**Commission approves reduced impact fees**

By Sebastian del Marmol  
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As well as facing an abysmal real estate market, developers in Coral Gables will soon have to face more significant obstacles to building in the City Beautiful when the city's newly enacted Impact and Sewer Fee ordinances go into effect Sept. 10, after the City Commission approved both laws at its Aug. 28 meeting.

While opponents of the law, especially building industry representative, believe it will further challenge an already depressed market, they did get some positive news at the final reading of the ordinance when consultants hired by the city to develop the impact fee law informed them that the fee schedule for impact fees had been reduced in several areas.

Builders will also be pleased to find out that the application of a sanitary sewer impact fee ordinance has also been limited properties which fall within newly created sewer districts.

According to city officials only one-third of Gables falls within sewer districts.

Impact fees are billed as one-time charges on new developments designed to offset capital charges and expenses incurred by city which must increase police, fire, general government and parks to maintain current standards of living and are already employed by county government.

As they have done on two prior occasions, impact fee consultants Yvonne Dawson and Susan Schoettle-Gumm led the audience through a power point presentation explaining the methodology behind the impact fees. While several technical aspects of the law were questioned by developers and their representatives at the meeting, the consultants said they were confident their established processes for deriving the fees were appropriate and ultimately the commission approved them 4-1, with Commissioner Wayne "Chip" Withers dissenting.

As approved the impact fee will have a significant impact on the University of Miami which has a bonanza of development planned over the 25 years as part of its master plan but commissioners took the extraordinary step of directing consultants to work with UM officials in the next 90 days to help iron out some outstanding issues with the university.

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Jeff Bass, an attorney representing the University of Miami, expressed reservations on how impact fees should affect the university since it was not a "typical" developer.

For one thing, Bass argued, UM has its own police force and as a result should be exempt (or at the minimum partially

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credited) from paying impact fees which go to offset police capacity increases.

The attorney also argued for the creation of a “university category” which the city should consider for UM with regard to its impact fees, although the consultants countered that such a designation was unnecessary.

Mayor Don Slesnick expressed support for UM’s position and led the rally to have university representatives and the consultants work out a possible amendment to the just passed ordinance to take care of its concerns.

Other developers and building industry companies won’t be so lucky.

Although several of the fees have been reduced, Truly Burton, a representative from the South Florida Building Association, said the “sticker-shock” impact of the law would still be another thump to an already hurting industry at an Aug. 21 workshop held regarding the impact fees.

She said plans to institute the impact fees all at once – rather than phasing them in over period of years – would also be unfair to builders.

“All the other impact fees (enacted) have been phased in,” Burton said. “For this to be enacted upon the stroke of a pin is a lot of money.”

At that same workshop, Hal White, a developer and longtime resident of the Gables, sharply criticized several aspects of the impact fee ordinance, not the least of which was the amount of money the city would be able to raise as a result of the proposed law.

A surly White said the city was essentially built-out and questioned how the city arrived at such robust revenue projections for the ordinance if there wasn’t much room left for new development.

“What is reflected in this proposal is a bunch of hot air,” White said. “There’s no land left to build on.”

He also wondered aloud about the basis for the impact fees considering residents already pay taxes for police, fire and government services.

“Don’t I pay taxes for that?” he White asked.



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