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Answer to impact fee dilemma lies in Columbia

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We would be the last to discourage Bluffton from negotiating new impact fees for schools.

But the discussion at Tuesday's Town Council meeting about what to do for new construction under development agreements already in place illustrates this very important point: Lawmakers in Columbia need to let local governments collect school impact fees, just as they can for roads, parks, fire protection and libraries.

Bluffton Town Council members Tuesday debated whether to impose the school fee in full when developers approach the town about modifying existing agreements. The town might allow "in-kind" donations equal to the amount that would be imposed with the negotiated school fee. The council sent the school fee proposal back to its Development Agreement Negotiating Committee.

The discussion shows the difficulty in trying to tackle the problem of paying for new schools piecemeal and after the fact.

Beaufort County now plans to charge \$6,000 per home and \$2.50 per square foot of commercial construction under new county development agreements to help pay for new schools.

State law prohibits collecting school impact fees, but the restriction does not apply to fees negotiated in development agreements.

The county has asked its municipalities to join it in negotiating school impact fees. But in

southern Beaufort County, most of the new building is happening in areas covered by existing development agreements.

Unless Bluffton officials -- and developers --reopen those contracts and renegotiate the terms, the new fee wouldn't affect thousands of homes already approved but not yet built. Only about

11 percent of southern Beaufort County is not already approved for development, according to

the Southern Beaufort County Regional Plan.

Any property owner building under by-right zoning not subject to negotiation through a development agreement or planned unit development also wouldn't be subject to the fee.

A school impact fee needs to be applicable to all new construction, not just new construction under new development agreements in unincorporated Beaufort County. Nor will it be equitable if municipalities tap only new construction under development agreements inside their boundaries.

Our school district is countywide and a remedy ought to be countywide -- inside and outside of municipalities and inside and outside of areas governed by development agreements.

The real solution lies in Columbia. Two bills that would allow school impact fee collections are pending in the legislature -- one a holdover from the last session and the other introduced this month.

In his State of the State address last week, Gov. Mark Sanford reiterated his support for local impact fees.

"We need to take another look at home rule and finding ways to allow counties the option of connecting the cost of growth with the people moving in and causing the need for more infrastructure," Sanford said.

County, school district and municipal officials here and across the state must push for the ability to levy school impact fees.

The county's stopgap approach -- while better than what we had -- falls short of a countywide fee on all new construction.

The broader the collection of the fee, the fairer it will be.

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