

Council again tweaking impact fee bill

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It looks like impact fee legislation currently before the County Council will need to be tweaked again before it's ready for a final vote.



At least one more amendment is necessary to fix language in one of the amendments attached to the bill at the council's last meeting.

So, at tomorrow's County Council meeting, where public testimony on the amended bill is scheduled, there will be at least one more amendment - perhaps more. The bill has to be passed by Nov. 7 or it will expire.

The legislation raises fees on residential and commercial developments in an effort to recoup their impact on roads, schools, and other infrastructure.

In an effort to make the considerable increase more equitable, the council passed a grandfather clause, assuring property owners who had plats or sketch plans approved by Sept. 2 that they would pay their fees at the old rate.

But there is a problem with that.

Some parcels had such approval 10 or 20 years ago and are nowhere near ready to be built out. Allowing them to pay at the old rates would deny the county millions of dollars for infrastructure.

At a work session last week, county officials underscored the conundrum to council members.

"The numbers are huge. Our concern is the fiscal impact," County Attorney David Plymyer implored. "Many, many subdivisions in this county are not entirely built out. But they went through the sketch plan approval process decades ago and fall within the scope of this language."

Though the officials could not pinpoint the number, it is in the thousands, county spokesman Tracie Reynolds said.

"In four subdivisions alone, some of the biggest out there, there are over 4,200," she said.

Planning and Zoning Officer Larry Tom said the amendment could limit old lots from paying the higher fees.

"May subdivisions, site plans, commercial projects have not moved forward. With this language you are freezing everything from paying these new impact fees," he said.

Some properties have changed hands several times since they won initial approval from the county. A new developer could buy the property after the new impact fees are set, but if the project had been signed off on years ago, he would pay the old rates.

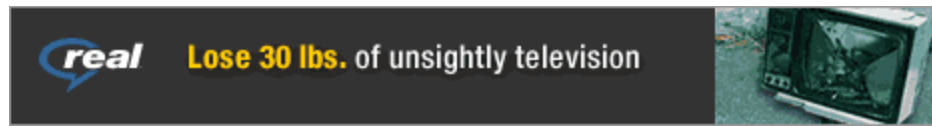
"Take David Taylor," said Alan Friedman, the county's legislative liaison, referring to the massive redevelopment plan for the old Navy research station on the Severn River. "Technically it has an approved site plan, protected by law, but if that thing gets built in five, 10, 15, 20 years they would pay the same impact fees (set now)."

Most fees are imposed when a project goes for its grading and building permits, after sketch or plot approvals. "That's when the impact occurs," Mr. Tom said.

The council does want to see some sort of protection for property owners who already have started the approval process.

"The sense of the council is we want some kind of grandfather protection, even if it is limited in nature," Councilman Ed Reilly, R-Crofton, said.

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