



NEWS > LOCAL

Impact fee moratorium could expire[Print Page](#)**By STEVE STEINER**
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County commissioners Wednesday will consider one of four options on the six month impact fee moratorium.

The first two options call for the moratorium to expire Feb. 1, with one alternative calling for an impact fee re-imposed at 50 percent, or the second alternative, reimposing the fee at 25 percent of the rate that was in effect July 31: \$4,895 for a single-family detached home. Also under consideration will be to extend the impact fee moratorium to a certain date by the BOCC. The final option is to consider exempting any alteration or expansion of existing buildings from impact fees.

The six-month period was a compromise, since a one-year proposal was not acceptable. It barely passed, 3-2, with then-Commissioners Randy Wilkinson and Jean Reed in opposition. Wilkinson did not feel the time was right, and Reed did not favor any moratorium at all. The purpose for its passage by those who voted in favor was to encourage job growth. At the time of the vote, Commissioner Edwin V. Smith said the during his campaign the most important thing to him was "jobs, jobs, jobs."

Part of the controversy was over the potential loss of revenue, according to Todd J. Bond, director of budget and management services

"At the time, we projected a possible shortfall of \$6.5 million," he said. Of that amount, \$5.8-to-\$5.9 million would affect infrastructure road projects. Bond said the losses might be offset by the drop in costs by those bidding on capital projects.

Commissioner Sam Johnson was dismissive of the concept of impact fee loss.

"Impact fees are just a figment of our imagination," said Johnson. He added that only when revenues are actually collected does it (the money) become a reality.

When asked, Bond said that to the best of his knowledge, no specific calculations had been performed that could pinpoint what, if any impact, pro or con, had been derived.

That fact concerned newly-installed commissioner Melony Bell.

"I'm undecided," she said. "I want to see more numbers before I make my decision."

Prior to passage, the number of permits pulled had been in a steady decline. When the economy was flush, permits pulled per month ranged in the multiple hundreds. At its peak, in 2005, 8,070 permits were pulled. One month alone, 1,256 permits were pulled.

"We were working as hard as possible just to file them," said Linda Stiles, one of three lead permit technicians with the building division. These were for single-family home construction.

But as economic conditions softened, the decline began, starting 2006. From 2007 forward, permits pulled have totaled less than 2,000 per year. In all of 2010, only 621 permits have been pulled, the top months being March with 93 and April with 91. In August, when the moratorium went into effect, 72 permits were pulled. The subsequent months have each seen less than 50, with 30 for all of November.

A concern about the impact fee that those considering construction projects has been the time frame allotted from start to finish. When Bob Ziegenfuss, the director of civil engineering services for Interplan LLC out of Orlando, appeared before the BOCC on behalf of Krystals restaurant, he spoke of the process from start-to-finish, and how it was and would be next to impossible to complete everything within a year's time. He requested a review and possible "tweaking," which was received favorably.

It is possible the impact fee may be extended, in order to get a better assessment whether it is producing hoped for results. If, however, the issue provokes the same passions it did when first deliberated and enacted — when at the July 21 hearing, 10 people spoke out against it versus one lone supporter — whatever decision the BOCC takes, it may be a double-bind situation, according to Bell.

"We're damned if we do, and damned if we don't," she said with regret.

What is an impact fee?

An impact fee is a one-time charge applied to new construction only. The purpose of the fee is to fund capital projects such as roads, parks, schools, jails, ambulances, and other infrastructure that are needed because of the new development. The funds collected cannot be used for operation, maintenance, or repair of capital facilities. Impact fees were adopted by the BOCC in order to pay for new facilities required by growth. Impact fees are collected for eight different public facilities: transportation (county and state roads), corrections (jails), Emergency Medical Service (EMS), parks (regional and area parks), school facilities, fire rescue, law enforcement, and libraries.

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