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# Counties still offer impact-fee breaks despite homebuilding rebound

April 10, 2013 | By Martin E. Comas and Mary Shanklin, Orlando Sentinel

Central Florida counties may be losing millions of dollars by continuing to give homebuilders breaks on the fees they're charged to pay for the cost of growth.

So-called impact fees, used primarily to build schools, parks and roads, were reduced, suspended or even eliminated in Orange, Lake and Osceola counties to stimulate construction after the housing market crashed in 2007. But now, even though home construction is rebounding, Orange and Lake are still extending some breaks to builders.

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Orange County's impact fee for schools is \$6,525 per single-family home — about half what was charged before the downturn. If the higher fee had been restored — and if construction activity had remained unaffected — the county would have collected an additional \$14 million in 2012, almost enough for another elementary school.

Lake County stopped charging road- and school-impact fees in mid-2011. Last year, Lake would have collected \$7.8 million for schools and \$2 million for roads if the same number of homes had been built.

Lake School Board member Rosanne Brandeburg said it's time for Lake to return to impact fees.

"As the growth comes back — and more families move here — there is going to be a need to build more schools in some areas. But right now, Lake County has seen no money for new construction," said Brandeburg, the only School Board member who supports reinstating the fees.

But Lake Commissioner Jimmy Conner said reinstating the fees now would threaten the still-fragile housing-market recovery.

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"You would kill a lot of jobs," Conner said. "The one way to kill this upward trend in home construction is to go crazy on impact fees. At some point, we're going to have to reinstate school-impact fees to a modest level. But the key is not to kill jobs when you do it."

Osceola stopped collecting impact fees for transportation, parks and fire — but left its school-impact fee intact — in June 2011. This past October, the county reinstated its park and fire fees but repealed its transportation-impact fee.

Seminole County, however, has not touched its impact fees since 2008, when it more than tripled the amount charged for schools.

Impact fees are charged when a home is constructed, and the fees are eventually added to the price of a new house. The idea behind the fees is that new residents should help pay the cost of additional services governments must provide to handle growth.

But fees started dropping after the housing market hit a peak in 2007, with almost 16,000 new-home closings in the four-county area. Four years later, the market hit bottom, with barely 4,000 closings.

Then last year, the recovery became apparent, with 5,752 closed deals. But as home construction has picked up during the past several months, local governments have continued offering some discounts.

Orange County, for example, reduced its law-enforcement, fire-, road- and recreation-impact fees by 25 percent in mid-2011 in addition to halving its school-impact fee. The total impact fees for a single-family home dropped from \$18,688 to \$10,760.

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As the housing market started to show signs of life late last year, commissioners raised the fees for law enforcement and fire just above the 2011 levels. But commissioners also decided to continue the reduced rate for schools and to replace the road-impact fee with a broader transportation-impact fee.

Orange County Commissioner Ted Edwards said the reductions served as an incentive for developers to move ahead with projects, thereby creating jobs, during the stagnant economy. But although the market may be picking up, it's still too fragile to reinstate the full impact fees, Edwards said.

"The emphasis now is on job creation and pumping the economy. And I believe the reduction program has been successful, and luckily the construction industry is coming back. So I anticipate eventually doing away with the reduction and going back to full impact fees. ... But the question is: When is that magic moment?"

Bill Sublette, chairman of the Orange County School Board, said he dislikes impact fees because they unfairly affect low-income, first-time homebuyers by raising the price of a new house.

He said the \$437 million currently budgeted for school construction and renovation comes mainly from property taxes and the county's half-cent sales tax. Impact fees at their current rate account for 4 percent to 6 percent of construction expenses.

"There is this perception that [impact-fee revenue] covers a substantial portion of our construction costs, and it does not," Sublette said.

It's impossible to know for sure whether home sales might have declined even further without the discounts on impact fees, just as it's unknown exactly how much revenue local governments might have lost by cutting the fees. But in both good times and bad, the home-construction industry has fought the fees, and the industry is a key source of money for local political campaigns.

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