

Our Views: Paying for roads (Jan. 30)

Brevard impact fee moratorium OK for now, but not forever

January 30, 2011

- Emergency measures make sense in times of emergency.

That's the situation for Brevard County leaders trying to spur the economy and create jobs. County commissioners are taking a reasonable step if they vote as expected early next month to extend a two-year moratorium on transportation impact fees until 2013 to encourage new construction. Not that the ban has had much effect. The county has waived only \$13.7 million in fees since the freeze was approved in 2009 as new building creeps along and commercial properties sit empty up and down the Space Coast. Broader economic ills account for the near paralysis in local growth, including the foreclosure crisis and high unemployment. If two more years of impact fee waivers can help boost the recovery, they're justified for the short-term. But they should be reinstated once growth returns, as it inevitably will. Otherwise, the costs for new development will be shifted to local taxpayers, and that's unacceptable. Developers waiting to get plans approved for huge new housing projects, such as the 4,670 homes slated for the Platt ranch west of Melbourne, no doubt will pressure local elected officials hard to kill impact fees permanently. Simple math shows why that can't be allowed: The county is already deep in the hole to pay for transportation fixes, with \$600 million in unmet road needs. That includes \$14 million short this year for new asphalt, traffic equipment, ditch work and other upgrades. Minus impact fees and other safeguards that help hold developers accountable for the costs of growth, that deficit will worsen, along with quality of life. That's why brewing plans by GOP state lawmakers to gut Florida's growth management laws should have Brevard citizens saying "no way." Florida Senate and House committees this month gave thumbs up to reviving Sen. Mike Bennett's

ruinous SB360, which passed the Legislature in 2009 but was struck down by the courts as unconstitutional. The measure eliminated requirements that developers pay their fair share for roads. For a good example of why that matters, look at West Viera, where the Viera Company had to fund \$41.7 million for new roads as part of its north Melbourne development. Dollars local taxpayers would otherwise have to fork out. The bill also ended the crucial, wide-ranging studies that examine the impact of huge new developments on transportation, water use and other factors on surrounding cities and counties. Its overturn was a victory for taxpayers, preventing costs for growth being foisted on local governments who then must raise gasoline or other taxes to prevent traffic-choked roads and warding off more sprawl. This time, lawmakers are splitting SB360 into three parts to comply with rules limiting pieces of legislation to a single subject. One bill keeps a ban against local governments requiring businesses install security cameras and another deals with affordable housing regulations. Both may merit approval. But the third resuscitates the same provisions for ditching transportation concurrency requirements, and should be dumped. Reasonable changes to growth management rules to streamline redundant regulation and promote economic development make sense, and we support them. But impact fees, concurrency mandates and oversight of proposed new developments by state growth-management agencies protect local

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taxpayers, the environment and Florida's long-term economic vitality.

Any loosening of regulations should be carried out cautiously with a scalpel, not a sledgehammer.

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