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Advancing impact-fee bill would set new guidelines for cities, counties to follow

TALLAHASSEE - Lawmakers want cities and counties to maintain their power to determine impact fees levied on new construction to pay for growth.

But under a proposed bill sailing through the Legislature, local governments would have to follow guidelines when figuring out how much to charge developers. They would be required to use the most recent and local data when setting their fees. And governments would have to report how much money they collect on new construction and where they spend it.

The bill, called the Impact Fee Act, is viewed as a compromise by builders and local government officials. It is the result of months of study by a special committee.

In approving the bill Tuesday, the Senate Community Affairs Committee softened a controversial amendment by Sen. Mike Bennett, R-Bradenton, that would have required local governments to give mandatory impact fee credits to developers who improve roads and other infrastructure as part of their projects.

After criticism from cities and counties, who feared they would lose too much revenue needed for capital projects, Bennett toned down his demands.

Now, local governments are only asked to consider granting developers impact fee credits.

"While we're not completely happy with it, it's something we can work with and live with," said Palmer Mason, legislative director for the Florida Association of Counties.

A high point of the legislation is that it tries to promote affordable housing, Mason said.

The bill allows local governments to waive or defer impact fees on the construction of affordable housing.

State lawmakers have been reviewing how local governments charge, collect and spend their impact fees for more than a year.

The building industry has complained that impact fees vary considerably among the 34 counties that charge impact fees.

Those fees range from \$1,200 on a two-bedroom home in Wakulla County to nearly

\$18,000 for a similar home in Osceola County.

The goal of the legislation is to provide guidelines for governments to use and bring more uniformity to the system, said Sen. Lee Constantine, R-Altamonte Springs, the bill's sponsor.

"In the past, some governments have set arbitrary numbers," Constantine said. "Now they'll need to use the most recent localized data. They'll have to address affordable housing and they would have to report on collection and expenditures."

Bennett says the bill has a good chance of passing this session. It has one more committee in the Senate to pass through before reaching the floor for debate. A House companion bill has to be reviewed by two more committees.

--Liz Babiarz is a reporter with the Sarasota Herald-Tribune.
