

[Back](#)

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## **As Impact Fees Grow, So Does Opposition**

**Polk is on the leading edge of controversial school fee increases going on statewide.**

By STEVE BOUSQUET  
St. Petersburg Times

TALLAHASSEE -- Faced with too many students in too few classrooms and not enough cash for construction, counties across Florida are adding school impact fees on new houses to pay for growth.

The trend is intensifying a debate over how much of the cost of education should be paid by buyers of new homes. School impact fees are added only to new homes, not existing ones.

School impact fees on a new single-family home range from a low of \$196 in Hillsborough County to a high of \$8,596 in Polk County.

Twenty-three of Florida's 67 counties now levy school impact fees, which are typically charged to builders as a one-time payment during construction and added to a home's price at closing.

Polk County has been on the leading edge of the school impact fee trend that is sweeping the state. In September, Polk commissioners raised the county school impact fee from its previous level of \$1,607 -- a 435 percent increase.

Neighboring Pasco County, which added 3,500 students last year and 2,400 more this year, raised "The problem of school capacity is becoming a crisis in many jurisdictions in Florida, and this is the response," said Jim Nicholas, an urban planning professor at the University of Florida who is paid to advise local governments on impact fees.

Counties have long charged impact fees for roads, parks, libraries, drainage lines and fire protection. But school impact fees are usually higher.

Local property taxes have proven insufficient to keep pace with the ever-rising costs of suburban sprawl, including the need for new schools. Rising prices for land, steel and concrete are providing momentum for higher school impact fees, as is a new growth law that requires adequate classrooms for new students within three years of the completion of subdivisions.

School impact fees have grown in proportion to the state's failure to keep up with the need for money to build schools, Nicholas said.

But the impact fee trend faces opposition.

Gov. Jeb Bush has suggested the Legislature ought to consider imposing school impact fee limits.

And builders say flat-rate school impact fees disproportionately hit families who buy less-expensive homes. They argue that a \$9,000 school impact fee is a much bigger factor on a \$200,000 home than on a \$600,000 house and cite figures showing that in some counties, most new school students come from existing homes, not new homes.

Opponents say the growing use of impact fees will make it harder for some families to buy new homes. A study conducted for the National Association of Realtors concluded that in the Tampa-St. Petersburg housing market, a \$3,000 increase in impact fees would prevent 8,600 families from buying a new single-family home.

Builders successfully challenged a formula used by Osceola County. A judge last month ordered the county to give builders credit for other revenues they produce and reduced the school impact fees by more than \$2,000 to \$7,608 for a single-family home.

Builders have tried to persuade the Legislature to replace county-by-county impact fees with a real estate transfer tax that would apply to sales of existing as well as new homes, but those in real estate oppose that. Counties zealously guard home rule power to charge fees that vary widely, based on local needs and numbers of new students.

For legislators, opposing local government home rule, especially on an issue involving education and growth, can be politically dangerous. For that reason, some local-government experts expect little interest in the issue in the next legislative session in 2006, a year when many lawmakers will be running for re-election or a higher office.

"In an election year, that's not something I think there's much of an appetite for in the Legislature," said John Wayne Smith of the Florida League of Cities. "It's bad politics."

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