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County approves school impact fees

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OCALA - Marion County commissioners voted unanimously Tuesday to approve impact fees for schools, despite concerns that the fees won't keep pace with the cost of building new schools.

The fee approved on new construction for a single-family home is \$3,516.59. For a multifamily unit it is \$1,919.15 per unit, and an owner of a mobile home will pay \$3,067.54.

The school board hired consultant Nabors, Giblin & Nickerson to write the county's ordinance. Bob Nabors said the figures used to generate the new fees are based on the census.

Commissioner Randy Harris raised questions about the method used to determine the rates and whether there could be a different rate for a mobile home in a park and a mobile home built on a stand-alone lot.

"Parks are generally lived in by seniors," Harris said, noting some of the stand-alone mobile homes in the Ocala National Forest have many children living in them.

"I think we need to make this distinction," Harris said.

Nabors said a study would have to be done to justify making such a distinction to keep it from being challenged in court. The study would have to show where the students are coming from.

Harris also said that some multifamily facilities, such as condominiums, also are restricted to adults.

Nabors said the only way the impact fee would not be charged is if the property is deed-restricted to adults only.

Commissioner Andy Kesselring asked if the fees could be linked to the cost of buying land, but Nabors said that is difficult to do.

"Look at what the school district has been doing, which is always behind the curve," Nabors said.

The fee will be collected at the time the certificate of occupancy is issued rather than at the time the permit is given. Nabors said it is collected at the same time the fire-impact fee is collected.

Kesselring said he thought the numbers were conservative.

"It didn't really reflect the actual cost," Commission Chairman Jim Payton said after the meeting. "We thought mobile homes have just as much impact as stick-built homes on the school system."

But the commission did not wish to pay for a student-generated study and accepted the ordinance as presented by the school board.

"Their consultant erred on the side of being conservative because it was legally defensible," Payton said.

Marion County schools Deputy Superintendent Wally Wagoner said the school board has had the same discussions.

"It takes us 18 to 24 months to build a school," Wagoner said after the meeting. "If you give me a check today, theoretically, I am already behind."

The law requires that by 2008 every school district and county address this issue in its comprehensive plan approved by the state. The schools' interlocal agreement is currently being reviewed by the state Department of Community Affairs.

"Then, quite possibly, it could become an issue - you can't build because there's no capacity," Wagoner said.

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