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County backs off building ban

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MANATEE - The Manatee County Commission backed away Tuesday from the idea of imposing a building moratorium across the county until more roads and schools are built.

No vote was taken, but four of the seven commissioners spoke against a total shutdown of the construction industry for any period of time - at least for now.

Still on the table for future discussion are ideas for imposing a moratorium in selected trouble spots; putting a freeze on property rezoning; limiting the number of building permits issued; and creating at least one special taxing district to pay for public services needed to serve new residents.

Chairman Ron Getman said he plans to meet with construction industry leaders and Manatee Chamber of Commerce officials to solicit their ideas in catching up and paying rising costs for construction of roads, schools and water systems.

The reversal of direction came a week after commissioners directed county attorneys to explore what steps were needed to declare a full or partial moratorium.

Getman made the moratorium issue a last-minute addition to the agenda Tuesday because, he said, even the exploratory move last week "was sending a chill through the building and development industry."

Getman joined commissioners Gwendolyn Brown, Pat Glass and Donna Hayes in speaking against a moratorium.

"I think there are other alternatives," Getman said. "I would not support going forward with a moratorium."

Brown put it this way: "What we are talking about, it should be the last resort."

Hayes added, "I guess I feel we would be making a real mistake. It's not healthy for the community. It's not healthy for the economy."

Commissioner Amy Stein, who introduced the moratorium issue last week, said the county has financial constraints in keeping pace with growth and the timing of making sure public services are in place when people move into new homes.

"Our plans are becoming obsolete before we can implement them on the ground," Stein said. "I just think we're in a corner and have nowhere to go but a moratorium."

Stein said the commission's talk about a moratorium may result in the development industry being more helpful in solving problems with a lack of public services.

"It may be incentive to the industry to cooperate more," she said.

Last week, commissioners raised county and school impact fees to maximum levels allowed based on a consultant's 2003 fee study. Construction industry leaders later said they would explore challenging the higher fees in court.

On Tuesday, Assistant County Attorney Bill Clague outlined the process commissioners should follow if they choose to impose a moratorium or other temporary limits on construction. They should spell out the reason and duration for any shutdown or limits and what improvements they would make to public services during the shutdown or limits to overcome the defined and stated problem, Clague explained. A moratorium or other restrictions should be reviewed in public hearings by county commissioners and county planning commissioners, he said.

"Moratoriums are a much bigger deal politically than it is legally," Clague said. "The law says moratoriums are a legitimate tool to deal with planning problems."

Commissioner Joe McClash said he would like to limit the number of building permits issued for housing based on a home's value and possibly exempt homes meeting the county's affordable housing criteria. A slowdown is needed because the county is behind building roads and schools, he said.

"We just can't figure out a way to catch up," McClash said. "We can't handle the growth that is coming at us."

There was no public comment during the moratorium discussion, but Evelyn Treworgy, president and chief executive officer of Coastal Construction SW Inc., was there to hear the conversation.

"Instead of a proactive approach to handling our growth, this was just a knee-jerk reaction from our county commission," Treworgy said of the moratorium talk during a brief interview.

"We need a well thought-out approach, and the first criteria should be to protect the economic health of this community," she said.

Treworgy said commissioners have failed to take advantage of options that would help pay for public services. One example, she said, is commissioners not approving a nickel-per-gallon increase in gasoline tax, which Sarasota County commissioners did years ago.

"The gas tax is still out there," she said. "Over \$50 million would have been raised if they approved it at the same time Sarasota did."

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