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HIGH POINT

Growing county eyes building fees

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By Amy Dominello Staff Writer
News & Record

HIGH POINT -- So overcrowded are schools in northern Davidson County that local leaders are taking aim at developers.

The county commissioners have asked their staff to study an "adequate public facilities fee" -- a fee levied on developers to defray the cost of building new schools because of all the residential growth.

A report is expected back in about two months. If approved, Davidson County would be the first in the Piedmont Triad to charge the fee for school construction.

Adequate public facilities fees are generally applied to developments that would overburden the capacity of a public facility, such as a school. To prevent their project from being delayed until the county builds new schools, developers would have to dedicate land for a new school or pay fees to the county to build new schools or additions.

County Commissioner Max Walser, a former Davidson County school superintendent, has proposed a \$1,500 fee for each home in developments of six housing units or more. That proposal is modeled after similar programs in Stanly and Cabarrus counties.

Walser said it would be implemented county-wide and include development that would occur within cities that fall within the county, including High Point. A small, but fast-growing section of High Point is located within Davidson County. And county officials have pointed to all the homebuilding that High Point has allowed within the northeast corridor as one of the chief reasons for the county's overcrowded schools.

Walser said he wants to start a dialogue on how the county should pay for school construction, needed particularly in the northern area of the county where development is pouring in along the edges of Forsyth and Guilford counties. The

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school system recently estimated that \$117 million in school construction is needed.

"My contention is that somebody ought to be paying for those facilities," said Walser.

Two counties in the state -- Cabarrus and Stanly -- charge adequate public facilities fees, said Paul A. Meyer, the assistant general counsel for the N.C. Association of County Commissioners. Three other counties charge impact fees for school construction -- Chatham, Durham and Orange. An impact fee is applied to all new residential development, not just in areas that have overburdened schools.

Most legal and government experts feel that in order for counties to charge an impact fee, the General Assembly must pass legislation for each individual county, said Richard Ducker, a professor who specializes in land use, planning and zoning at the N.C. Institute of Government in Chapel Hill.

In fact, Durham County --which did not get permission from the state -- had its fee program challenged in court by developers and landowners and the case is set to be argued before the state Court of Appeals.

Developers argue that what Walser has proposed for Davidson County is, in effect, an impact fee and not an adequate public facilities fee, since it would apply to all new development.

"What they are trying to do is an impact fee," said Marlene Sanford, president of the Triad Real Estate and Building Industry Coalition.

Guy L. Cornman, Davidson County's director of planning, said the county is trying to determine what can and can't be done under the law.

"We're going to study up and get educated and then try to craft something that's best suited for Davidson County's needs," he said.

Regardless, any type of fee will raise the price of new homes or decrease the price of land being sold to developers, Sanford said.

"It ultimately gets passed on to the buyer or landowner," she said.

Developer John Kavanagh, who has built a condominium project in northeast Davidson County, said that will hurt affordable housing. His condos are selling in the \$80,000-90,000 range.

"Those people are just squeaking by," he said. "It's squeezing out any affordable housing."

The cities within Davidson County would either voluntarily sign off on the fees or the county could ask the General Assembly to allow the county to charge the fees, said Walser.

High Point Mayor Becky Smothers said the city will have to wait to see what is

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proposed.

But High Point Councilman Latimer Alexander said a fee would tax only the newcomers to the county and would be passed on to the homebuyers.

"I'm not at all interested in an APF," he said. "I would never support over-taxing one group and under-taxing another."

Alexander said the county should raise property taxes to pay for new schools. Davidson County has one of the lowest property taxes in the region, at 53 cents per \$100 of a home's assessed value.

The county may consider a property tax increase during budget discussions, said county manager Robert Hyatt.

But with millions in school construction needs, "property taxes can not pay for that in an immediate way," said Walser.

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