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\$3,000 CONCURRENCY PROPOSAL

School Board floats fee for new homes County demanded estimate; district may seek more funds

Ocala - Developers, or more likely new homeowners, will pay an additional \$3,000 next year toward school construction, according to figures recommended by the Marion County School Board this week.

Board members, who have been under pressure by the county to provide some kind of numbers, proposed charging \$3,000 per new housing unit to satisfy the state's new school concurrency requirements. The new fee, expected to take effect Jan. 1, would apparently apply to single-family homes, mobile homes and apartment units, board members said.

School concurrency is based on the concept that a development would have to pay for the effect it has on nearby schools.

County commissioners have been waiting for the School Board to provide a concurrency figure to use in dozens of land-use agreements scheduled to go to the state for final approval next month.

During a workshop Tuesday, School Board members learned that an independent study, which would give them some idea for the new fee and legal standing, would not be ready for another four months. Frustrated, they decided to come up with a number and did so within a matter of minutes.

"The County Commission is saying this train is about to leave the station for this year, if you want in, you have to get in," said board member Kurt Kelly. "Then the legally defensible thing will come in."

Board Chairwoman Sue Mosley originally suggested that the fee be \$1,500 to \$2,500.

"Give them \$2,500," Vice Chairman Ron Crawford said.

"I'll take you to \$3,000, Ron," chimed Kelly.

"I'm fine with that," Crawford said.

Because they were at a workshop, the board could not officially vote on the proposal, but only agree in theory.

While at least one board member questioned Wednesday whether a decision on the fee had been made, Deputy Superintendent of Operations Wally Wagoner said he planned to forward the figure to County Planning Director Dwight Ganoe - who will be addressing the commission during an impact fee workshop today.

Board members expressed some confusion Tuesday over the difference between school concurrency and education impact fees. Wagoner explained that impact fees were per housing unit charges levied against developers when building permits are pulled.

However, school concurrency is not an automatic charge, but rather based on the current student capacity at affected schools. Like impact fees, the concurrency funding would go toward school construction. Any assessment is expected to be passed on to homeowners.

It was not clear Wednesday whether developers would pay the concurrency fees along with an education impact fee, or whether the two would be interchangeable. Currently, there is no education impact fee in Marion County.

If a \$3,000 fee were charged, it could considerably raise the cost of a new home in Marion County when coupled with the county's transportation impact fee - which is presently \$2,200 and expected to increase \$1,000 or more next year.

Under a revised growth bill, Florida counties must have some form of school concurrency mechanism in place by 2008. County planning officials have entered agreements with developers planning to build subdivisions and other ventures, but have had to leave the school concurrency amount blank. School Board members have been questioned almost daily about when a figure would be provided, and were eventually told to give a number to the county or the county would come up with the figure.

The board has been waiting on Tallahassee law firm Nabors, Giblin & Nickerson to complete a legal review of proposed impact fees. But Wagoner said the firm - which is handling impact fee studies for counties around the state - planned to outsource the determination of the actual rates to another firm, a process that would take another four months.

Board members did not provide an explanation for how they came up with the proposed \$3,000 figure, but stressed they wanted to remain conservative.

Afraid that the district would have to reimburse the difference, the board

apparently did not want to surpass the figure that will be proposed by the firm, which based on a preliminary study could be as high as \$8,000. Board members also expressed concerns about lawsuits, which have been brought against school boards by home builder associations.

Asked whether \$3,000 was enough to help the district, which has already levied a sales tax and must borrow additional money for construction, Mosley replied: "No, of course not. At least it's a number until we get a legally defensible number."

County Commissioner Andy Kesselring was pleased that the board has arrived at a number, even if it's just a working figure.

"We needed something to put in our developer agreements," he said. "I guess it's as good as any number we have at this point. I don't think we'll know what it should be until we have proper documentation."

Mitzi Perry, executive director of the Marion County Builders Association, said she believed developers needed to contribute toward school construction but added that the district would probably make out better if it accepted land donations.

Perry, who had not had a chance to review the figure using her own computer program, questioned the board's methodology for determining the fee.

"My concern is they're arbitrarily putting numbers out there," she said. "I think they're just stabbing at stuff."

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