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Coyle: Impact fee bill will come back

Commission chairman fears county would lose millions if legislation passes

By LARRY HANNAN, ljhannan@naplesnews.com

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Fred Coyle really doesn't want to be a party pooper. But the celebrations by people who are thrilled that the controversial impact fee legislation in the Florida Legislature failed strikes the Collier County Commission chairman as a wee bit premature.

The legislation, which limited local government's ability to assess and spend impact fees on new development, was vociferously opposed by Coyle and other members of the County Commission. They believed the county would lose millions of dollars in impact fee money if the legislation became law.

The bill appeared to die Wednesday in the House of Representatives when the House Local Government Council tabled the legislation. The committee is not scheduled to meet again during this legislative session, which means the legislation is unlikely to reach the floor of the House for a vote of the full membership.

While acknowledging that the impact fee legislation probably won't pass the House this year, Coyle believes the legislation will be back next year.

"I think you have to be very naive to think this bill is dead," Coyle said. "It might not be acted on this year, but it will be coming back."

Coyle said the county needs to start making contingency plans in case the legislation eventually becomes law. For example, Coyle wants the county to eliminate any rezones that increase the density of the area being rezoned.

"We cannot take actions that will expose Collier County to long-term losses," Coyle said.

He is also frustrated with the Florida Homebuilders Association. They pushed for this legislation and Coyle feels their lobbying efforts were not fair.

"People who think this is a good bill do not understand the problems it will cause," Coyle said. "There are some problems with impact fees in other counties and I do believe everyone, including the builders, must be treated fairly. But this so-called solution would end up punishing the taxpayers."

The commission chairman was also vocal in his displeasure over the efforts of the Southwest Florida legislative delegation in Tallahassee. Coyle thought they should have done more to kill this legislation.

"The legislators need to tell the Florida Homebuilders Association they're not getting this bill passed," he said. "Then they need to sit down and work out a compromise."

John Wiseman, president of Southern Golf West Construction in Naples and treasurer of the Florida Home Builders Association, said he didn't believe the impact fee legislation would have harmed Collier County in any substantial way.

Wiseman said the legislation was aimed at counties that abuse impact fees by using shaky methodology to justify them, or try to use impact fees to pay for existing infrastructure needs.

Impact fees are supposed to pay for future infrastructure needs and by law they can't be used to pay for existing needs. But the Florida Homebuilders Association believes some counties violate that law and use their impact fee money to pay for old needs.

Wiseman said the impact fee bill was a major change for the Homebuilders Association because this is the first year that they have acknowledged that impact fees are here to stay.

"Until now the association has fought to get rid of them," Wiseman said. "But now you're seeing a lot of counties trying to make new growth pay for old growth."

Collier is not one of those counties, he said.

Wiseman said a compromise will now be worked out along the lines of what Coyle wants.

"We want fair impact fees," Wiseman said.

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