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Local

Fee ruling will not affect debate over development

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BALTIMORE -

Last week's appellate court ruling on [Anne Arundel's](#) impact fees will not have a significant bearing on the debate over development, officials said.

The Court of Special Appeals ruled last week that the county would have to return millions of dollars to citizens because it failed to spend impact fees — money developers pay for road and school expansion — in a timely fashion. Several homeowners filed a class-action lawsuit demanding a refund of the fees.

"We changed the laws since then ... and that case was dealing with the application of fees and laws 10 years ago," said [Alan Friedman](#), government affairs director for [County Executive John R. Leopold](#), who is seeking a significant increase in impact fees.

Even those opposed to Leopold's approach to raising impact fees say the ruling, which said the county used improper techniques to avoid refunding the fees, will not add fuel to an already contentious debate.

"I really don't see that issue going into the argument of the impact fee debate," said [Councilman Ronald Dillon Jr.](#), R-District 3.

Interviews with several officials raised concerns about having developers pay for the full price of their impact versus the efficiency of using fees that are restricted by time, use and geography.

Some officials believe the ruling will have a financial impact on the county and that it could cost the county as much as \$20 million.

"Regardless of it being \$2 million or \$20 million, it's going to have an impact," Dillon said. "It couldn't happen at a worse time. We're going to be scraping for pennies."

Others hope the ruling will not hurt future impact fees.

"If we let that derail a true impact fee, we truly hurt ourselves," said [Ann Fligsten](#), director of Growth Action Network. "You can't give up on an impact fee because you made a mistake."

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