

ST. JOHNS COUNTY ORDINANCE 87-58

PARK IMPACT FEE ORDINANCE

AN ORDINANCE RELATING TO THE REGULATION OF THE USE AND DEVELOPMENT OF LAND IN THE INCORPORATED AND UNINCORPORATED AREAS OF ST. JOHNS COUNTY, FLORIDA; IMPOSING AN IMPACT FEE ON LAND DEVELOPMENT IN ST. JOHNS COUNTY FOR PROVIDING NEW PARKS AND RELATED FACILITIES NECESSITATED BY SUCH NEW DEVELOPMENT; STATING THE AUTHORITY FOR ADOPTION OF THE ORDINANCE; PROVIDING DEFINITIONS; PROVIDING FINDINGS AND DECLARATIONS OF THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR THE PAYMENT AND TIME OF PAYMENT OF A PARK IMPACT FEE; PROVIDING FOR REVIEW OF PARK IMPACT FEES AND THE FEE SCHEDULES; PROVIDING FOR THE ESTABLISHMENT OF PARK IMPACT FEE DISTRICTS; PROVIDING FOR THE PLACEMENT OF REVENUE COLLECTED FROM PARK IMPACT FEES INTO PARK IMPACT FEE TRUST FUNDS ESTABLISHED FOR THAT PURPOSE; PROVIDING FOR EXEMPTIONS AND CREDITS; PROVIDING FOR REFUND OF UNEXPENDED FUNDS; PROVIDING FOR USE OF FUNDS DERIVED FROM PARK IMPACT FEES; PROVIDING THAT PARK IMPACT FEES MAY BE PLEDGED TOWARD PAYMENT OF BOND ISSUES AND SIMILAR DEBT INSTRUMENTS; PROVIDING FOR PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

Section One: Legislative Findings

The Board of County Commissioners of St. Johns County finds, determines and declares that:

A. St. Johns County must expand its park system in order to maintain current park standards if new development is to be accommodated without decreasing current standards. This must be done in order to promote and protect the public health, safety and welfare;

B. The Florida Legislature through the enactment of Florida Statutes § 163.3202(3) has sought to encourage St. Johns County to enact impact fees;

C. The imposition of impact fees is one of the preferred methods of ensuring that development bears a proportionate share of the cost of capital facilities necessary to accommodate such development. This must be done in order to promote and protect the public health, safety and welfare;

D. Each of the types of land development described in Section Seven hereof, will create demand for the acquisition or expansion of parks and the construction of park improvements.

E. The fees established by Section Seven are derived from, are based upon, and do not exceed the costs of providing additional park and park improvements necessitated by the new land developments for which the fees are levied.

F. The report entitled "St. Johns County, Florida, Impact Fee Methodology", dated August, 1987, sets forth a reasonable methodology and analysis for the determination of the impact of new development on the need for and costs for additional parks and park improvements in St. Johns County.

Section Two: Short Title, Authority and Applicability.

A. This ordinance shall be known and may be cited as the "St. Johns County Park Impact Fee Ordinance."

B. The Board of County Commissioners of St. Johns County has the authority to adopt this ordinance pursuant to Article VIII of the Constitution of the State of Florida, and Chapter 125, Section 163.3201, Section 163.3202, and Section 380.06(16) of the Florida Statutes.

C. This ordinance shall apply in the unincorporated area of St. Johns County and in the incorporated areas of St. Johns County to the extent permitted by Article VIII, §1(f) of the Constitution of the State of Florida.

Section Three: Intents and Purposes

A. This ordinance is intended to assist in the implementation of the St. Johns County Comprehensive Plan.

B. The purpose of this ordinance is to regulate the use and development of land so as to assure that new development bears a proportionate share of the cost of capital expenditures necessary to provide parks and park improvements in St. Johns County.

Section Four: Rules of Construction

A. The provisions of this ordinance shall be liberally construed so as to effectively carry out its purpose in the interest of the public health, safety and welfare.

B. For the purposes of administration and enforcement of this ordinance, unless otherwise stated in this ordinance, the following rules of construction shall apply to the text of this ordinance:

- (1) In case of any difference of meaning or implication between the text of this ordinance and any caption, illustration, summary table, or illustrative table, the text shall control.
- (2) The word "shall" is always mandatory and not discretionary; the word "may" is permissive.
- (3) Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- (4) The phrase "used for" includes "arranged for", "designed for", "maintained for", or "occupied for".
- (5) The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
- (6) Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions, or events connected by the conjunction "and", "or" or "either...or", the conjunction shall be interpreted as follows:
  - (a) "And" indicates that all the connected terms, conditions, provisions or events shall apply.
  - (b) "Or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.

(c) "Either...or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.

(7) The word "includes" shall not limit a term to the specific example but is intended to extend its meaning to all other instances or circumstances of like kind or character.

(8) "County Administrator" means the County Administrator or the county or municipal officials he/she may designate to carry out the administration of this ordinance. Any municipal official so designated shall be approved by the appropriate municipality before exercising duties hereunder.

Section Five: Definitions

A. A "feepayer" is a person applying for the issuance of a building permit or permit for mobile home installation.

B. A "capital improvement" includes parks planning, land acquisition, site improvements, buildings, and equipment, but excludes maintenance and operation.

C. "Development Order" means a regulatory approval by St. Johns County or a municipality therein.

D. "Private recreational facility" is any recreational facility which is not owned by or dedicated to any governmental entity.

E. "Electrical Energizing" is the initial connection of electrical power to any permanent power panel serving a building or mobile home for which a building permit or permit for mobile home installation has been obtained.

Section Six: Imposition of Park Impact Fee

A. Any person who, after December 31, 1987, seeks to develop land within St. Johns County, Florida, by applying for a building permit for a residential building or permit for residential mobile home installation, is hereby required to pay a park impact fee in the manner and amount set forth in this ordinance. The impact fees established by this ordinance shall not be effective

within the boundaries of any municipality which issues building permits until such municipality has executed an interlocal agreement with the county to collect such fees. The impact fees established by this ordinance shall not be effective within a municipality which has by municipal ordinance repealed the effect of this ordinance within its boundaries.

B. No new residential building permit or new permit for residential mobile home installation for any activity requiring payment of an impact fee pursuant to Section Seven of this ordinance shall be issued unless and until the park impact fee hereby required has been determined.

C. No extension of a residential building permit or permit for residential mobile home installation issued prior to January 1, 1988 for any activity requiring payment of an impact fee pursuant to Section Seven of this ordinance shall be granted unless and until the park impact fee hereby required has been determined.

D. In the event a building permit or permit for mobile home installation is issued pursuant to an application filed after the effective date of this ordinance but prior to January 1, 1988, and if the permit owner has not applied for and received a certificate of occupancy for such building or mobile home prior to: (i) January 1, 1989, then the impact fee established in Section Seven (A) (1) of this ordinance must be paid prior to the issuance of the certificate of occupancy; (ii) July 1, 1989, then the impact fee established in Section Seven (A) (2) of this ordinance must be paid prior to the issuance of the certificate of occupancy; (iii) January 1, 1990, then the impact fee established in Section Seven (A) (3) of this ordinance must be paid prior to the issuance of the certificate of occupancy.

In the event a building permit or permit for mobile home installation is issued pursuant to an application filed after December 31, 1987, but prior to July 1, 1988, and in the further event that the permit owner has not paid the impact fee for such building or mobile home prior to: (i) July 1, 1989, then the impact fee established in Section Seven (A) (2) of this ordinance

must be paid prior to the approval of Electrical Energizing; (ii) January 1, 1990, then the impact fee established in Section Seven (A) (3) of this ordinance must be paid prior to the approval of Electrical Energizing.

In the event a building permit or permit for mobile home installation is issued pursuant to an application filed after June 30, 1988, but prior to January 1, 1989, and in the further event that the permit owner has not paid the impact fee for such building or mobile home prior to January 1, 1990, then the impact fee established in Section Seven (A) (3) of this ordinance must be paid prior to the approval of Electrical Energizing.

Section Seven: Computation of the Amount of Park Impact Fee

A. At the option of the feepayer, the amount of the park impact fee may be determined by the following fee schedules. The fees contained in section Seven A (3) reflect a discount of 15% from net cost to encourage use of this schedule in order to avoid the expenditure of administrative time on the processing of independent fee calculation studies. The fees in Seven A (2) contain a 15% discount from net cost to encourage use of this schedule in order to avoid the expenditure of administrative time on the processing of independent fee calculation studies and an additional discount of 12%, designed to achieve a total discount of 25%, to phase in the fees established by this ordinance. The fees in Seven A (1) contain a 15% discount from net cost to encourage use of this schedule in order to avoid the expenditure of administrative time on the processing of independent fee calculation studies and an additional discount of 41% designed to achieve a total discount of 50%, to phase in the fees established by this ordinance.

(1) From January 1, 1988, through June 30, 1988, the following schedule shall apply to all applications for: a building permit; an extension of a building permit issued prior to January 1, 1988; a permit for mobile home installation; or an extension of a permit for mobile home installation issued prior to January 1, 1988.

FEE SCHEDULE I

LAND USE TYPE (UNIT)	COST AVAILABLE			FEE
	PER UNIT	REVENUE	NET COST	
RESIDENTIAL UNITS PER STRUCTURE:				
ONE UNIT	\$271.48	\$118.62	\$152.86	\$76
2, 3 OR 4 UNITS EACH UNIT	\$219.48	\$95.90	\$123.58	\$62
5 OR MORE UNITS EACH UNIT	\$299.17	\$130.72	\$168.45	\$84
MOBILE HOME EACH UNIT	\$260.00	\$113.60	\$146.40	\$73
HOTEL/MOTEL ROOM PER ROOM	\$170.91	\$170.91	\$0.00	\$0
OTHER RESIDENTIAL EACH UNIT	\$271.48	\$118.62	\$152.86	\$76

(2) From July 1, 1988, through December 31, 1988, the following schedule shall apply to all applications for: a building permit; an extension of a building permit issued prior to July 1, 1988; a permit for mobile home installation; or an extension of a permit for mobile home installation issued prior to July 1, 1988.

FEE SCHEDULE II

LAND USE TYPE (UNIT)	COST AVAILABLE			FEE
	PER UNIT	REVENUE	NET COST	
RESIDENTIAL UNITS PER STRUCTURE:				
ONE UNIT	\$271.48	\$118.62	\$152.86	\$115
2, 3 OR 4 UNITS EACH UNIT	\$219.48	\$95.90	\$123.58	\$93
5 OR MORE UNITS EACH UNIT	\$299.17	\$130.72	\$168.45	\$126
MOBILE HOME EACH UNIT	\$260.00	\$113.60	\$146.40	\$110
HOTEL/MOTEL ROOM PER ROOM	\$170.91	\$170.91	\$0.00	\$0
OTHER RESIDENTIAL EACH UNIT	\$271.48	\$118.62	\$152.86	\$115

(3) Beginning January 1, 1989, the following schedule shall apply to all applications for: a building permit; an extension of a building permit issued prior to January 1, 1989; a permit for mobile home installation; or an extension of a permit for mobile home installation issued prior to January 1, 1989.

FEE SCHEDULE III

LAND USE TYPE (UNIT)	COST AVAILABLE			FEE
	PER UNIT	REVENUE	NET COST	
RESIDENTIAL UNITS PER STRUCTURE:				
ONE UNIT	\$271.48	\$118.62	\$152.86	\$130
2, 3 OR 4 UNITS EACH UNIT	\$219.48	\$95.90	\$123.58	\$105
5 OR MORE UNITS EACH UNIT	\$299.17	\$130.72	\$168.45	\$143
MOBILE HOME EACH UNIT	\$260.00	\$113.60	\$146.40	\$124
HOTEL/MOTEL ROOM PER ROOM	\$170.91	\$170.91	\$0.00	\$0
OTHER RESIDENTIAL EACH UNIT	\$271.48	\$118.62	\$152.86	\$130

(4) If a building permit is requested for mixed uses, then the fee shall be determined through using the above schedules by apportioning the space committed to uses specified on the schedule.

(5) If the type of development activity that a residential

building permit is applied for is not specified on the above fee schedule, the County Administrator shall use the fee applicable to the most nearly comparable type of land use on the above fee schedules. The County Administrator shall be guided in the selection of a comparable type by the St. Johns County Comprehensive Plan, supporting documents of the St. Johns County Comprehensive Plan, and the St. Johns County Zoning Ordinance. If the County Administrator determines that there is no comparable type of land use on the above fee schedule then the County Administrator shall determine the appropriately discounted fee by considering demographic or other documentation which is available from the St. Johns County planning Department, Northeast Florida Regional Planning Council, the Florida Department of Community Affairs, or the Bureau of Economic and Business Research of the University of Florida.

(6) In the case of change of use, redevelopment, or expansion or modification of an existing use which requires the issuance of a building permit or permit for mobile home installation, the impact fee shall be based upon the net positive increase in the impact fee for the new use as compared to the previous use. The County Administrator shall be guided in this determination by the sources and agencies listed above.

B. If a feepayer opts not to have the impact fee determined according to paragraph (A) of this section, then the feepayer shall prepare and submit to the County Administrator an independent fee calculation study for the land development activity for which a building permit or permit for mobile home installation is sought. The independent fee calculation study shall follow the prescribed methodologies and formats for the study established by the Guidelines and Procedures Manual adopted by motion of the Board of County Commissioners of St. Johns County. The documentation submitted shall show the basis upon which the independent fee calculation was made. The County Administrator shall consider the documentation submitted by the feepayer but is not required to accept such documentation as he/she shall reasonably deem to be inaccurate or not reliable and



may, in the alternative, require the feepayer to submit additional or different documentation for consideration. If an acceptable independent fee calculation study is not presented, the feepayer shall pay park impact fees based upon the schedule shown in paragraph (A) of this section. If an acceptable independent fee calculation study is presented, the County Administrator may adjust the fee to that appropriate to the particular development. The adjustment may include a credit against the fee otherwise payable up to 50% for private recreational facilities constructed or deed restricted or otherwise set aside for recreational purposes by the feepayer which serve the same purposes and functions as set forth for public parks in the St. Johns County Comprehensive Plan.

Section Eight: Payment of Fee

A. The person applying for the issuance of a building permit for accessory structures, additions to and remodeling of existing structures, or permit for residential mobile home installation shall pay the fee, less any applicable credits as provided for in Section Thirteen, to the County Administrator or his designee prior to the issuance of a building permit or permit for mobile home installation.

B. The person applying for the issuance of a building permit other than for accessory structures, additions and remodeling of existing structures, or a permit for mobile home installation shall pay the fee, less any applicable credits as provided for in Section Thirteen, to the County Administrator or his designee as a prerequisite for approval of Electrical Energizing. The approval shall not be given until the fee is paid.

C. All funds collected shall be properly identified by park impact fee district and promptly transferred for deposit in the appropriate Park Impact Fee Trust Fund to be held in separate accounts as determined in Section Ten of this ordinance and used solely for the purposes specified in this ordinance.

Section Nine: Park Impact Fee Districts

There are hereby established four (4) park impact fee

districts as shown in Appendix I attached hereto and incorporated herein by reference. No district shall include any area within a municipality that issues building permits and that has not entered into an interlocal agreement with the county to collect park impact fees or that has by ordinance repealed the effect of this ordinance within its boundaries.

Section Ten: Park Impact Fee Trust Funds Established

A. There are hereby established four (4) separate Park Impact Fee Trust Funds, one for each park impact fee district established by Section Nine of this Ordinance.

B. Funds withdrawn from these accounts must be used in accordance with the provisions of Section Eleven of this ordinance.

Section Eleven: Use of Funds

A. Funds collected from park impact fees shall be used solely for the purpose of acquiring and/or making capital improvements to parks under the jurisdiction of St. Johns County, a municipality within St. Johns County which has not opted out from the provisions of this ordinance, or the State of Florida, and shall not be used for maintenance or operations.

B. Funds shall be used exclusively for acquisitions, expansions, or capital improvements within the park impact fee district as identified in Appendix I, hereof, from which the funds were collected or for projects in other park impact fee districts which are of benefit to the park impact district from which the funds were collected. Funds shall be expended in the order in which they are collected.

C. In the event that bonds or similar debt instruments are issued for advanced provision of capital facilities for which park impact fees may be expended, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities provided are of the type described in paragraph A above and are located within the appropriate impact fee districts created by Section Nine of this ordinance or as provided in paragraph B of this section.

D. At least once each fiscal period the County Administrator

shall present to the Board of County Commissioners a proposed capital improvement program for parks, assigning funds, including any accrued interest, from the several Park Impact Fee Trust Funds to specific park improvement projects and related expenses. Monies, including any accrued interest, not assigned in any fiscal period shall be retained in the same Park Impact Fee Trust Funds until the next fiscal period except as provided by the refund provisions of this ordinance.

E. Funds may be used to provide refunds as described in Section Twelve.

F. Funds may be used to make refunds required under any Development Order heretobefore or hereafter issued or entered into by St. Johns County or participating municipalities as such refunds pertain to the subject matter of this ordinance.

G. The collecting governmental entity shall be entitled to retain not more than three per cent (3%) of the funds collected as compensation for the expense of collecting the fee and administering this ordinance.

Section Twelve: Refund of Fees Paid

A. If a residential building permit or permit for residential mobile home installation expires without commencement of construction, then the feepayer shall be entitled to a refund, without interest, of the impact fee paid as a condition for its issuance except that the County shall retain six percent (6%) of the fee to offset a portion of the costs of collection and refund. The feepayer must submit an application for such a refund to the Clerk of Courts of St. Johns County within 30 days of the expiration of the permit.

B. Any funds not expended or encumbered by the end of the calendar quarter immediately following six (6) years from the date the park impact fee was paid shall, upon application of the then current landowner, be returned to such landowner with interest at the rate of six percent (6%) per annum, provided that the landowner submits an application for a refund to the Clerk of Courts of St. Johns County within 180 days of the expiration of the six year period.

Section Thirteen: Exemptions and Credits

A. The following shall be exempted from payment of the impact fee:

1. Alterations or expansion of an existing building where no additional residential units are created and where the use is not changed.
2. The construction of accessory buildings or structures.
3. The replacement of a destroyed or partially destroyed building or structure with a new building or structure of the same size and use.
4. The installation of a replacement mobile home on a lot or other such site when a park impact fee for such mobile home site has previously been paid pursuant to this ordinance or where a mobile home legally existed on such site on or prior to December 31, 1987, or where a mobile home certificate of occupancy for such site was issued by the County prior to January 1, 1989.
5. The construction of any non-residential building or structure or the installation of a non-residential mobile home.

Any claim of exemption must be made no later than the time of application for a building permit or permit for mobile home installation. Any claim not so made shall be deemed waived.

B. Credits:

1. Park land and/or park capital improvements may be offered by the fee-payer as total or partial payment of the required impact fee. The offer must specifically request or provide for a park impact fee credit. If the County Administrator accepts such an offer, whether the acceptance is before or after the effective date of this ordinance, the credit shall be determined and provided in the following manner:
  - a. Credit for the dedication of land shall be

valued at (i) 115% of the most recent assessed value by the St. Johns County Property Appraiser, or (ii) by such other appropriate method as the Board of County Commissioners may have accepted prior to the effective date of this ordinance for particular park improvements, or (iii) by fair market value established by private appraisers acceptable to the County. Credit for the dedication of park land shall be provided when the property has been conveyed at no charge to, and accepted by, the County in a manner satisfactory to the Board of County Commissioners.

- b. Applicants for credit for construction of park improvements shall submit acceptable engineering drawings and specifications, and construction cost estimates to the County Administrator. The County Administrator shall determine credit for construction based upon either these cost estimates or upon alternative engineering criteria and construction cost estimates if the County Administrator determines that such estimates submitted by the applicant are either unreliable or inaccurate. The County Administrator shall provide the applicant with a letter or certificate setting forth the dollar amount of the credit, the reason for the credit, and the legal description or other adequate description of the project or development to which the credit may be applied. The applicant must sign and date a duplicate copy of such letter or certificate indicating his agreement to the terms of the letter or certificate and return such signed document to

the County Administrator before credit will be given. The failure of the applicant to sign, date, and return such document within 60 days shall nullify the credit.

c. Except as provided in subparagraph (d), Credit against impact fees otherwise due will not be provided until:

(i) the construction is completed and accepted by the County, a municipality within the county which has not opted out from the effect of this ordinance, or the State, whichever is applicable;

(ii) a suitable maintenance and warranty bond is received and approved by the Clerk of Courts of St. Johns County, when applicable.

d. Credit may be provided before completion of specified park improvements if adequate assurances are given by the applicant that the standards set out in Subparagraph (c) will be met and if the feepayer posts security as provided below for the costs of such construction. Security in the form of a performance bond, irrevocable letter of credit or escrow agreement shall be posted with and approved by the Clerk of Courts of St. Johns County in an amount determined by the County Administrator. If the park construction project will not be constructed within one (1) year of the acceptance of the offer by the County Administrator, the amount of the security shall be increased by ten per cent (10%) compounded, for each year of the life of the security. The security shall be reviewed and approved by the Clerk of the Board of County Commissioners prior to accep-

tance of the security by the Clerk. If the park construction project is not to be completed within 5 years of the date of the feepayer's offer, the Board of County Commissioners must approve the park construction project and its scheduled completion date prior to the acceptance of the offer by the County Administrator.

2. Any claim for credit must be made no later than the time of application for a building permit or permit for mobile home installation. Any claim not so made shall be deemed waived.
3. Credits shall not be transferable from one project or development to another without the approval of the Board of County Commissioners and may only be transferred to a development within a different impact fee district upon a finding by the Board of County Commissioners that the dedication for which the credit was given benefits such different impact fee district.
4. In the event that a municipality within St. Johns County shall pass an ordinance or law that prevents the application of this ordinance within that municipality, there shall be no credit given for improvements or construction ordered by that municipality against fees due hereunder because of improvements constructed outside of the boundaries of the municipality.
5. In the event fee schedules are subsequently changed to reflect increases or decreases in construction costs or other relevant factors, then a feepayer may request a recalculation of credits to fairly reflect such changed circumstances.

The enumeration of the above credits shall not be deemed to prohibit credits required by Chapter 380 (16), as amended.

Section Fourteen: Review

The fee schedule contained in Section Seven (A) (3) shall be reviewed by the Board of County Commissioners at least once each fiscal biennium.

Section Fifteen: Penalty Provision

A violation of this ordinance shall be prosecuted in the same manner as misdemeanors are prosecuted and upon conviction the violator shall be punishable according to law; however, in addition to or in lieu of any criminal prosecution St. Johns County shall have the power to sue in civil court to enforce the provisions of this ordinance.

Section Sixteen: Severability

If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section Seventeen: Effective Date

This ordinance shall become effective upon receipt by the Clerk of Courts of St. Johns County of notice that it has been filed with the Department of State.

PASSED AND DULY ADOPTED THIS 20 DAY OF October, 1987.

ATTEST: Carl "Bud" Markel, Clerk

By: Cheryl Kent  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA

By: Phyllis L. Lyden  
Its Chairman

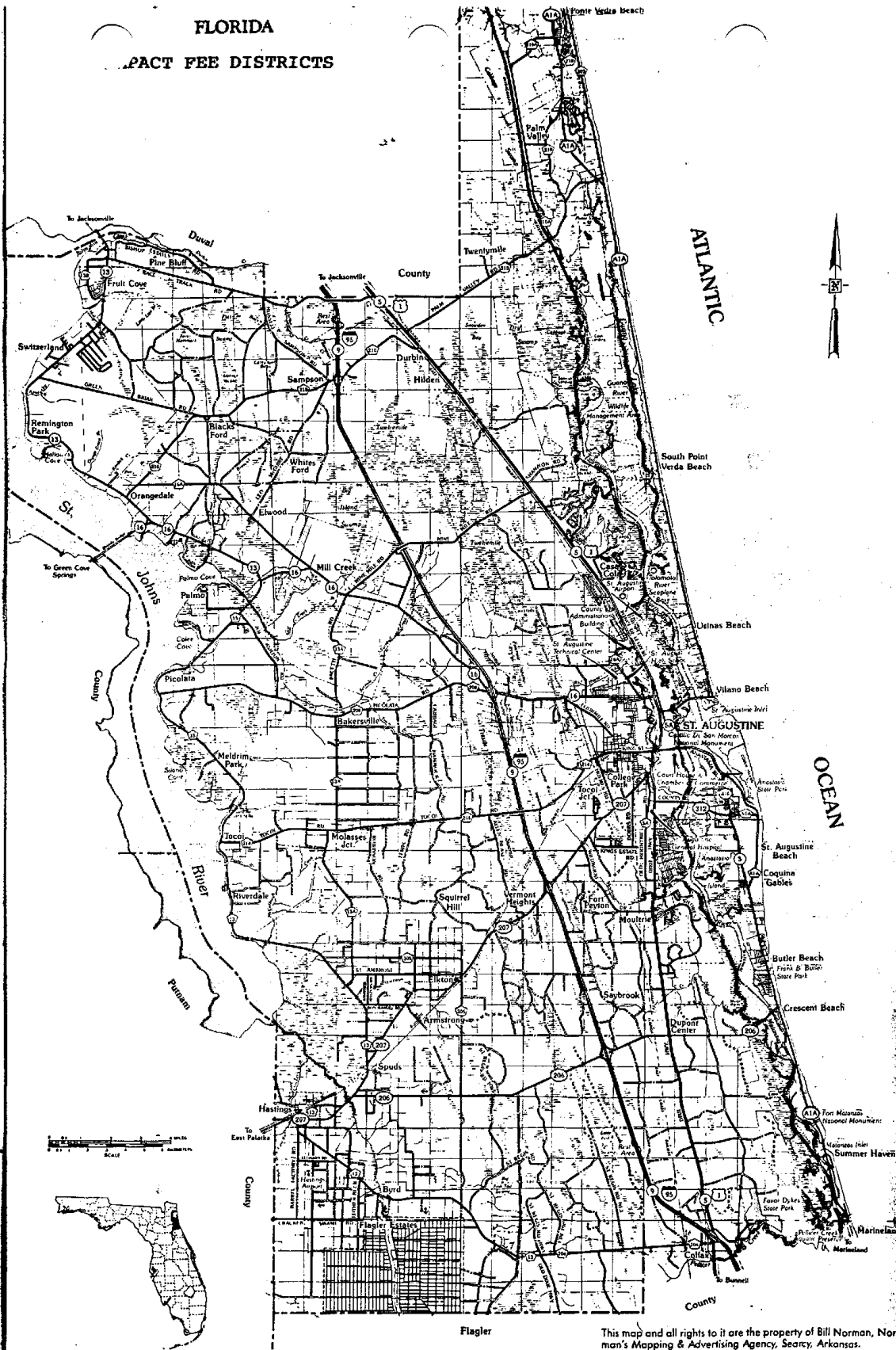
Adopted special meeting 10/20/87

Effective: November 2, 1987

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FLORIDA  
 TACT FEE DISTRICTS



This map and all rights to it are the property of Bill Norman, Norman's Mapping & Advertising Agency, Searcy, Arkansas.

APPENDIX I

**The St. Augustine Record**  
 PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY  
 ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, }  
 COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared \_\_\_\_\_  
Kristi Robertson who on oath says that he is  
Accounting Clerk of the St. Augustine Record, a  
 daily newspaper published at St. Augustine in St. Johns County, Florida;  
 that the attached copy of advertisement, being a \_\_\_\_\_  
Special Meeting  
 \_\_\_\_\_ in the matter of \_\_\_\_\_  
Board of County Commissioners  
 \_\_\_\_\_ in the \_\_\_\_\_ Court,  
 was published in said newspaper in the issues of \_\_\_\_\_  
September 4, 1987

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day, except Sundays, and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me Kristi Robertson  
 this 4th day of September

A.D. 19 87  
Zoe Ann Janus  
 (SEAL) Notary Public  
 Notary Public, State of Florida  
 My Commission Expires Aug. 4, 1989  
 Bonded Thru Troy Fain - Insurance, Inc.

Continued ON  
 September 29, 1987  
 at 11:00 a.m. / October 20,  
 1987 at 9:30 AM

**COPY OF ADVERTISEMENT**

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS SPECIAL MEETING ON SEPTEMBER 23, 1987 AT 3:00 O'CLOCK P.M. IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16-A) AND U.S. #1 NORTH, ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE PASSAGE OF THE FOLLOWING ORDINANCE:  
 PARK IMPACT FEE ORDINANCE  
 AN ORDINANCE RELATING TO THE REGULATION OF THE USE AND DEVELOPMENT OF LAND IN THE INCORPORATED AND UNINCORPORATED AREAS OF ST. JOHNS COUNTY, FLORIDA; IMPOSING AN IMPACT FEE ON LAND DEVELOPMENT IN ST. JOHNS COUNTY FOR PROVIDING NEW PARKS AND RELATED FACILITIES NECESSITATED BY SUCH NEW DEVELOPMENT; STATING THE AUTHORITY FOR ADOPTION OF THE ORDINANCE; PROVIDING DEFINITIONS; PROVIDING FINDINGS AND DECLARATIONS OF THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR THE PAYMENT OF A PARK IMPACT FEE AS PREREQUISITE FOR ISSUANCE OF A RESIDENTIAL BUILDING PERMIT OR PERMIT FOR RESIDENTIAL MOBILE HOME INSTALLATION; PROVIDING FOR REVIEW OF PARK IMPACT FEES AND THE FEE SCHEDULE; PROVIDING FOR THE ESTABLISHMENT OF PARK IMPACT FEE DISTRICTS; PROVIDING FOR PLACEMENT OF REVENUE COLLECTED FROM PARK IMPACT FEES INTO PARK IMPACT FEE TRUST FUNDS ESTABLISHED FOR THAT PURPOSE; PROVIDING FOR EXEMPTIONS AND CREDITS; PROVIDING FOR REFUND OF UNEXPENDED FUNDS; PROVIDING FOR USE OF FUNDS DERIVED FROM PARK IMPACT FEES; PROVIDING THAT PARK IMPACT FEES MAY BE PLEDGED TOWARD PAYMENT OF BOND ISSUES AND SIMILAR DEBT INSTRUMENTS; PROVIDING FOR PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
 The proposed Ordinance is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Administration Building, Lewis Speedway, and may be examined by parties interested prior to said public hearing.  
 All parties having any interest in said Ordinance will be afforded an opportunity to be heard at the public hearing.  
 If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.  
 BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA  
 Carl "Bud" Markel, Its Clerk  
 By Cheryl Kent, Deputy Clerk  
 L781 Sept. 4, 1987