

ST. JOHNS COUNTY ORDINANCE 87 - 60

EDUCATIONAL FACILITIES IMPACT FEE ORDINANCE

AN ORDINANCE RELATING TO THE REGULATION OF THE USE AND DEVELOPMENT OF LAND IN ST. JOHNS COUNTY, FLORIDA; IMPOSING AN IMPACT FEE ON LAND DEVELOPMENT IN ST. JOHNS COUNTY FOR PROVIDING NEW SCHOOLS 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 AN EDUCATIONAL FACILITIES IMPACT FEE; PROVIDING A METHOD OF PAYMENT OF THE FEE; PROVIDING FOR THE REMITTAL OF FEES COLLECTED AND THEIR EXPENDITURE BY THE SCHOOL BOARD OF ST. JOHNS COUNTY FOR EDUCATIONAL CAPITAL PURPOSES; PROVIDING FOR REFUND OF UNEXPENDED FUNDS; PROVIDING FOR EXEMPTIONS AND CREDITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; 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. The School Board of St. Johns County is required by §235.19 Florida Statutes to coordinate school site planning with the county's comprehensive plan; and

B. §235.193(1) Florida Statutes requires the coordination of planning between school boards and local governing bodies to ensure that plans for the construction and opening of public educational facilities are coordinated in time and place with plans for residential development and other necessary services; and,

C. St. Johns County must expand its educational facilities in order to maintain current levels of service if new development is to be accommodated without decreasing current levels of service. This must be done in order to promote and protect the public health, safety and welfare;

D. The Florida Legislature through the enactment of Florida Statutes § 163.3202(3) has sought to encourage St. Johns

County to enact impact fees;

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

F. Each of the types of land development described in Section Seven hereof, will place additional students in the public schools of St. Johns County necessitating the acquisition of school sites, the expansion of existing educational facilities and the construction of new educational facilities.

E. The fees established by Section Seven are derived from, are based upon, and do not exceed the costs of providing for the acquisition of school sites, the expansion and equipping of existing educational facilities and the construction and equipping of new educational facilities necessitated by new land developments for which the fees are levied.

G. 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 school sites and educational facilities 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 Educational Facilities 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.

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 public educational sites and facilities 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.
- (9) "School Board" means the School Board of St. Johns County.

Section Five: Definitions

A. A "feepayer" is a person commencing a land development activity which may reasonably be expected to place students in the public schools of St. Johns County and which requires the issuance of a building permit for a residential building or structure or permit for residential mobile home installation.

B. "Capital costs of educational facilities" are expenditures for the acquisition of fixed assets or additions to fixed assets and expenditures for site acquisition, construction, design, site development, necessary off-site improvements, and capital equipment pertaining to educational facilities.

C. "Capital equipment" is equipment with an expected use

life of three (3) years or more.

D. "Land Development Activity Which May Reasonably Be Expected To Place Students in the Public Schools of St. Johns County" means any change in land use or any construction or installation of residential buildings or structures or any change in the use of any structure that will result in additional students in the public schools of St. Johns County.

E. "Independent Fee Calculation Study" means the demographic and/or educational impact documentation prepared by a fee-payer to allow the determination of the impact fee other than by the use of the table in Section Seven (A) of this ordinance.

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

G. "Mandatory or Required site dedications and /or educational facilities improvements" means such dedications and/or educational facilities improvements required by the County or by a municipality within St. Johns County.

H. "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 Educational Facilities Impact Fee

A. Any person who, after December 31, 1987, seeks to develop land within St. Johns County, Florida, by applying for: a residential building permit; a permit for residential mobile home installation; an extension of a residential building permit issued prior to January 1, 1988; an extension of a permit for residential mobile home installation issued prior to January 1, 1988; or a permit to make an improvement to land which may reasonably be expected to place additional students in the public schools of St. Johns County; is hereby required to pay an educational facilities 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 that issues building permits until such municipality

has executed an interlocal agreement with the county to collect such fees.

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 educational facilities 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 educational 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 Educational Facilities Impact Fee

A. At the option of the feepayer, the amount of the educational facilities 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)	TOTAL COST	CREDIT	NET COST	FEE
RESIDENTIAL UNITS PER STRUCTURE:				
ONE UNIT	\$2,899	\$2,451	\$448	\$224
2, 3 OR 4 UNITS EACH UNIT	\$2,174	\$1,838	\$336	\$168
5 OR MORE UNITS EACH UNIT	\$3,426	\$2,896	\$530	\$265
MOBILE HOME EACH UNIT	\$2,899	\$2,451	\$448	\$224
HOTEL/MOTEL ROOM PER ROOM	\$0	\$0	\$0	\$0
OTHER RESIDENTIAL EACH UNIT	\$2,899	\$2,451	\$448	\$224

(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)	TOTAL COST	CREDIT	NET COST	FEE
RESIDENTIAL UNITS PER STRUCTURE:				
ONE UNIT	\$2,899	\$2,451	\$448	\$336
2, 3 OR 4 UNITS EACH UNIT	\$2,174	\$1,838	\$336	\$252
5 OR MORE UNITS EACH UNIT	\$3,426	\$2,896	\$530	\$398
MOBILE HOME EACH UNIT	\$2,899	\$2,451	\$448	\$336
HOTEL/MOTEL ROOM PER ROOM	\$0	\$0	\$0	\$0
OTHER RESIDENTIAL EACH UNIT	\$2,899	\$2,451	\$448	\$336

(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)	TOTAL COST	CREDIT	NET COST	FEE
RESIDENTIAL UNITS PER STRUCTURE:				
ONE UNIT	\$2,899	\$2,451	\$448	\$381
2, 3 OR 4 UNITS EACH UNIT	\$2,174	\$1,838	\$336	\$286
5 OR MORE UNITS EACH UNIT	\$3,426	\$2,896	\$530	\$451
MOBILE HOME EACH UNIT	\$2,899	\$2,451	\$448	\$381
HOTEL/MOTEL ROOM PER ROOM	\$0	\$0	\$0	\$0
OTHER RESIDENTIAL EACH UNIT	\$2,899	\$2,451	\$448	\$381

(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 schedules.



(5) If the type of development activity that a building permit is applied for is not specified on the above fee schedules, 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 information provided by the School Board of St. Johns County. If the County Administrator determines that there is no comparable type of land use on the above fee schedules then the County Administrator shall request a determination by the School Board of the appropriate fee.

(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 student generation statistics provided by the St. Johns County School Board.

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 St. Johns County School Board an independent fee calculation study for the land development activity for which a building permit or permit for mobile home installation is sought. The student generation and/or educational impact documentation submitted shall show the basis upon which the independent fee calculation was made. The St. Johns County School Board may adjust the educational facilities impact fee to that deemed to be appropriate given the documentation submitted by the feepayer. The County Administrator shall make the appropriate modification upon notice of such adjustment from the School Board.

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 a permit for residential mobile home installation shall pay the fee, less any applicable credits as

provided for in Section Twelve, to the County Administrator or his designee prior to the issuance of the 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 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 and promptly transferred for deposit in the Educational Facilities Impact Fee Trust Fund to be held in a separate account as determined in Section Ten of this ordinance and used solely for the purposes specified in this ordinance.

Section Nine: Educational Facilities Impact Fee Trust Fund  
Established

A. There is hereby established a separate Educational Facilities Impact Fee Trust Fund.

B. Funds withdrawn from this account must be used in accordance with the provisions of Section Ten of this ordinance.

Section Ten: Use of Funds

A. Funds collected from educational facilities impact fees and deposited in the Educational Facilities Impact Fee Trust Fund by St. Johns County and municipalities located therein shall be remitted at least monthly to the School Board of St. Johns County. The collecting governmental entity shall be entitled to retain not more than three per cent (3%) of the funds collected to compensate them for the administrative expense of collecting the fees and administering this ordinance.

B. The remaining funds collected shall be transmitted to a separate trust fund established by the School Board of St. Johns County and shall be spent solely to acquire, construct, expand and equip the educational sites and educational capital facilities necessitated by new development.

C. The Board of County Commissioners of St. Johns County and the School Board of St. Johns County will enter into an appropriate interlocal agreement to ensure proper use of the funds collected pursuant to this ordinance.

D. Funds may be used to provide refunds as described in Section Eleven.

E. 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.

Section Eleven: 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 School Board 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 School Board of St. Johns County within 30 days of the expiration of the permit. The application shall include such supporting documentation as the School Board may reasonably require.

B. Any funds not expended or encumbered by the end of the calendar quarter immediately following six (6) years from the date the educational facilities 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 School Board of St. Johns County within 180 days of the expiration of the six year period.

Section Twelve: 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,

where the use is not changed, and where no additional public school enrollment will be produced over and above that produced by the existing use.

2. The construction of accessory buildings or structures which will not produce additional public school enrollment over and above that produced by the principal building or use of the land.
3. The replacement of a destroyed or partially destroyed building or structure with a new building or structure of the same size and use provided that no additional public school enrollment will be produced over and above that produced by the original use of the land.
4. The installation of a replacement mobile home on a lot or other such site when an educational facilities impact fee for such mobile home site has previously been paid pursuant to this ordinance or where a residential 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. Non-residential buildings, structures or non-residential mobile homes.

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. All Mandatory or Required land dedications and/or educational facility improvements made by a feepayer subsequent to the effective date of this ordinance for education purposes shall be credited on a pro rata basis against educational

facilities impact fees otherwise due or to become due for the development that prompted the County or the municipality to require such dedications or education facility improvements. Such credits shall be determined and provided as set forth in Section Twelve B 2 (a), (b), (c) and (d).

2. A feepayer may obtain credit against all or a portion of public educational impact fees otherwise due or to become due by offering to dedicate needed school sites and/or construct needed educational facility improvements. This offer must specifically request or provide for an educational facilities impact fee credit. Such construction must be in accordance with School Board or State design standards, whichever is applicable. If the School Board 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 School Board may have accepted prior to the effective date of this ordinance for particular land dedications and/or facility improvements, or
- (iii) at the option of the feepayer, by fair market value established by private appraisers acceptable to the School Board.

Credit for the dedication of land shall be provided when the property has been conveyed at no charge to, and accepted by, the School Board in a manner satisfactory to the School Board.

- b. Applicants for credit for construction of

facility improvements shall submit acceptable engineering drawings and specifications, and construction cost estimates to the School Board. The School Board shall determine credit for facility improvements based upon either these cost estimates or upon alternative engineering criteria and construction cost estimates if the School Board determines that such estimates submitted by the applicant are either unreliable or inaccurate. The School Board shall provide the applicant and the County Administrator 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 School Board and 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 School Board or the State, whichever is applicable;
- (ii) a suitable maintenance and warranty bond is received and approved by the School Board when applicable; and
- (iii) all design, construction, inspection, testing, bonding and acceptance procedures are in strict compliance with the

then current requirements of the St. Johns County School Board or the Florida Department of Education, when applicable.

d. Credit may be provided before completion of specified facility 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 School Board of St. Johns County in an amount determined by the School Board. If the construction will not be constructed within one (1) year of the acceptance of the offer by the School Board, the amount of the security may be increased in an amount as determined by the School Board consistent with School Board policy and procedures.

3. 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.
4. Credits shall not be transferable from one project or development to another without the approval of the School Board.
5. In the event fee schedules are subsequently changed to reflect increases or decreases in construction costs or other relevant factors, then a fee-payer may request a recalculation of credits to fairly reflect such changed circumstances.

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

Section Thirteen: Review

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

Section Fourteen: 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 Fifteen: 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 Sixteen: 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  
Department of State

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA

By: Phyllis L. Lydon  
Its Chairman

Adopted special meeting 10/20/87

Effective: November 2, 1987



**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 \_\_\_\_\_  
 Educational Facilities \_\_\_\_\_  
 \_\_\_\_\_ 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

*[Signature]*  
 (SEAL) Notary Public  
 Notary Public, State of Florida  
 My Commission Expires Aug. 4, 1989  
 P.O. Box 1000, St. Augustine, Fla.

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

**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 9:00 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:

**EDUCATIONAL FACILITIES IMPACT FEE ORDINANCE**

AN ORDINANCE RELATING TO THE REGULATION OF THE USE AND DEVELOPMENT OF LAND IN ST. JOHNS COUNTY, FLORIDA; IMPOSING AN IMPACT FEE ON LAND DEVELOPMENT IN ST. JOHNS COUNTY FOR PROVIDING NEW SCHOOLS 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 AN EDUCATIONAL FACILITIES IMPACT FEE AS THE PREREQUISITE FOR ISSUANCE OF A BUILDING PERMIT FOR A RESIDENTIAL UNIT OR PERMIT FOR MOBILE HOME INSTALLATION; PROVIDING FOR REVIEW OF THE IMPACT FEE; PROVIDING A METHOD OF PAYMENT OF THE FEE; PROVIDING FOR THE REMITTAL OF FEES COLLECTED AND THEIR EXPENDITURE BY THE SCHOOL BOARD OF ST. JOHNS COUNTY FOR EDUCATIONAL CAPITAL PURPOSES; PROVIDING FOR REFUND OF UNEXPENDED FUNDS; PROVIDING FOR EXEMPTIONS AND CREDITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; 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  
 L183 Sept. 4, 1987