

Draft #2

ORDINANCE NO. 94-63

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCE 87-59 AS PREVIOUSLY AMENDED (THE ST. JOHNS COUNTY PUBLIC CAPITAL IMPROVEMENTS IMPACT FEE ORDINANCE). THIS AMENDMENT DELAYS FOR AT LEAST 6 MONTHS THE INCREASE IN THE PUBLIC CAPITAL IMPROVEMENTS IMPACT FEES CAUSED BY ORDINANCE 94-44 THAT ARE LEVIED ON IMPROVEMENTS LOCATED ON LANDS AFFECTED BY UNITED STATES H.R. 4598; AND IT PROVIDES AN EFFECTIVE DATE.

WHEREAS, Ordinance 87-59 was adopted on October 20, 1987 for the purpose of establishing impact fees to fund a portion of the costs of expanding the County's public capital improvements system that is necessitated by new development; and

WHEREAS, the public capital improvements impact fees were increased by ordinance 94-44 to meet the increased public capital improvements demands caused by new residential development in St. Johns County; and

WHEREAS, the United States Coastal Barrier Resources Act has made it extremely difficult to place improvements on certain lands in St. Johns County and has caused the owners of certain of those lands to delay construction on or improvements to such lands; and

WHEREAS, the 103rd Congress of the United States recently passed H.R. 4598, a copy of which is attached hereto, that will mitigate or reduce the difficulty of improving some of those lands

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

Section 1. St. Johns County, Florida Ordinance 87-59, as previously amended, (the Public Capital Improvements Impact Fee Ordinance) is hereby amended by adding the following Article III thereto:

ARTICLE III

The increase in the public capital improvements impact fees caused by St. Johns County Ordinance 94-44 shall not be applied to lands and improvements in St. Johns County, Florida that are affected by United States H.R. 4598 until 6 months after the maps described in

H.R. 4598 that affect such land and improvement are corrected as required by H.R. 4598, or June 1, 1995, whichever comes first.

Section 2. Effective Date. This ordinance shall take effect upon receipt of official acknowledgement by the Office of the Department of State to the Clerk of the Board of County Commissioners that same has been filed.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, State of Florida this 13th day of December, 1994.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Barbara Ward*
Its Chair

ATTEST: CARL "BUD" MARKEL, CLERK

By: *Carl Bud Markel*
Clerk

EFFECTIVE DATE: DECEMBER 27, 1994



AMENDMENT NO. _____

Calendar No. _____

Purpose: To provide a substitute amendment.

IN THE SENATE OF THE UNITED STATES—103d Cong., 2d Sess.

H.R. 4598

To direct the Secretary of the Interior to make technical corrections to maps relating to the Coastal Barrier Resources System, and to authorize appropriations to carry out the Coastal Barrier Resources Act.

Referred to the Committee on _____
and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. GRAHAM

Viz:

- 1 Strike all after the enacting clause and insert the fol-
- 2 lowing:
- 3 SECTION 1. CORRECTIONS TO MAPS.
- 4 (a) IN GENERAL.—The Secretary of the Interior
- 5 shall, not later than 30 days after the date of enactment
- 6 of this Act, make such corrections to the maps described
- 7 in subsection (b) as are necessary to ensure that—
- 8 (1) depictions of areas on the maps are consist-
- 9 ent with the depictions of areas appearing on the
- 10 maps entitled "Coastal Barrier Resources System",

1 dated September 27, 1994, and on file with the Sec-
2 retary of the Interior; and

3 (2) the Coastal Barrier Resources System does
4 not include any area that, on the day before the date
5 of the enactment of this Act, was part of unit FL-
6 05P of the System.

7 (b) MAPS DESCRIBED.—The maps described in this
8 subsection are maps that—

9 (1) are included in a set of maps entitled
10 "Coastal Barrier Resources System", dated October
11 24, 1990; and

12 (2) relate to the following units of the Coastal
13 Barrier Resources System: AL-01P, FL-05P,
14 P11A, P17, P17A, P18P, P19P, FL-15, FL-95P,
15 FL-36P, P31P, FL-72P, MI21, NY75, and
16 VA62P.

17 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
18 12 of the Coastal Barrier Resources Act (16 U.S.C. 3510)
19 is amended to read as follows:

20 "SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

21 "There are authorized to be appropriated to the Sec-
22 retary for carrying out this Act \$2,000,000 for each of
23 fiscal years 1995 through 1998."

COPY OF ADVERTISEMENT

The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared _____

Barbara Dresslar _____ who on oath says that she 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 _____

Notice of Intent _____

in the matter of _____

Ordinance 87-59 _____

in the _____ Court, was published in said newspaper in the

issues of Nov. 18, 1994 _____

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 heretofore been continuously published in said St. Johns County, Florida, each day 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 copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 18th day of Nov., 19 94,

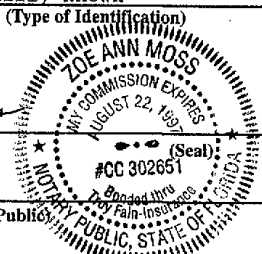
by Barbara Dresslar who is personally

known to me or who has produced personally known _____ as

identification. (Type of Identification)

Zoe Ann Moss
(Signature of Notary Public)

Zoe Ann Moss
(Print, Type or Stamp Commissioned Name of Notary Public)



NOTICE OF INTENT TO CONSIDER ADOPTION OF ORDINANCE
NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, at its regular meeting on Tuesday, December 13, 1994, at 1:30 p.m. in the County Auditorium, of the County Administration Complex, 4020 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:
ORDINANCE NO. 94- AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCE 87-59 AS PREVIOUSLY AMENDED (THE ST. JOHNS COUNTY PUBLIC CAPITAL IMPROVEMENTS IMPACT FEE ORDINANCE). THIS AMENDMENT DELAYS FOR AT LEAST 6 MONTHS THE INCREASE IN THE PUBLIC CAPITAL IMPROVEMENTS IMPACT FEES CAUSED BY ORDINANCE 94-14 THAT ARE LEVIED ON IMPROVEMENTS LOCATED ON LANDS AFFECTED BY UNITED STATES H.R. 4598; AND IT PROVIDES 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 Complex, 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 with respect to any matter considered at the hearing, he/she will need a record of the proceedings, and for such purposes he/she 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.
NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact, ADA Coordinator, at (904) 823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals: Telecommunications Device for the Deaf (TDD): 823-2501 or Florida Relay Services: 1-800-955-8770, no later than 7 days prior to the date of this hearing.
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
CARL "BUD" MARKEL
ITS CLERK
By Yvonne Carter,
Deputy Clerk
L449 Nov. 18, 1994