

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA AMENDING ST. JOHNS COUNTY ORDINANCE NO. 87-58, AS PREVIOUSLY AMENDED, (THE ST. JOHNS COUNTY PARK IMPACT FEE ORDINANCE). THIS ORDINANCE MAKES FINDINGS; MODIFIES THE DOLLAR AMOUNTS OF THE PARK IMPACT FEES; ALLOWS ADDITIONAL USES FOR THE COLLECTED FEES; PROVIDES FOR APPEALS; AND PROVIDES AN EFFECTIVE DATE.

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

Section 1. St. Johns County Ordinance No. 87-58, as previously amended, is hereby amended by adding the following Section 18 thereto:

Section 18. The Board of County Commissioners of St. Johns County finds, determines and declares that:

A. St. Johns County must continue to expand its park 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;

B. The report entitled "Technical Memorandum on the Methods of Updating Impact Fees" dated February 9, 1998 and prepared for the Board of County Commissioners of St. Johns County by James C. Nicholas, Ph.D. sets forth a reasonable methodology and analysis for the determination of the impact of new development on the need for and costs for additional park sites and park facilities in St. Johns County.

C. The fees established by Section Seven of St. Johns County Ordinance No. 87-57 as hereby amended are derived from the above described Technical Memorandum and are based upon, and do not exceed, the costs of providing for the acquisition of park sites, the expansion and equipping of existing park facilities and the construction and equipping of new park facilities necessitated by new land developments for which the fees are levied.

Section 2. St. Johns County Ordinance No. 87-58, as previously amended, is hereby amended by deleting Section Seven therefrom and by adding and substituting the following therefor:

Section 7. Computation of the Amount of Park Impact Fees.

(1) Commencing March 15, 1999, the amount of the park impact fee shall be determined by the following fee schedule. The fees contained in the schedule reflect a past payment credit of 9.53% from net cost.

FEE SCHEDULE				
Land Use Type (UNIT) Residential Units Per Structure	Total Cost	Available Revenue	Net Cost	Fee
One Unit	\$607.20	\$91.08	\$516.12	\$467
2, 3 Or 4 Units Each Unit	487.19	73.08	414.11	375
5 Or More Units Each Unit	487.19	73.08	414.11	375
Mobile Home Each Unit	617.00	92.55	524.45	474
Hotel/Motel Room Per Room	418.35	418.35	0	0
Other Residential Each Unit	607.20	91.08	516.12	467

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

(3) If the type of residential development activity that a 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 schedule. The County Administrator shall be guided in the selection of a comparable type of land use 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 the Technical Memorandum described in Section 18(B) and 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.

(4) In the case of change of use, redevelopment, or expansion or modification of an existing use which requires the issuance of a residential 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.

(5) (a) Building Permits or Mobile Home Installation Permits issued prior to March 15, 1999 shall be subject to payment of Impact Fees in effect at the time of issuance of the permit.

(b) If a building permit or permit for mobile home installation expires without commencement of construction, then the fee payer shall be subject to the fees in effect at the time of renewal of the Building Permit or the Mobile Home Installation Permit.

(c) Applications for Building Permit or Permit for Mobile Home Installation

(1) Applications for Building Permit or Permit for Mobile Home Installation submitted in a completed application form with all necessary attachments, forms, plans as provided on the Clearance Sheet and "Detailed Requirements" information sheet prior to March 15, 1999 shall be subject to the Impact Fees in effect prior to March 15, 1999.

(2) Applications for Building Permit or Permit for Mobile Home Installation must have been accepted by the Building Department and Logged in prior to March 15, 1999. Evidence that the applicant has filed for required permits from other agencies must be provided prior to logging in the permit application.

(3) If the applicant has experienced delays in Health Department or other agencies permit review, then a receipt must be provided from that agency documenting that the applicant submitted the appropriate request to the agency prior to March 15, 1999.

(4) The applicant must pick-up the Building Permit or Mobile Home Installation Permit within 30 days of the date stamped (Logged) on the application by the Building Permit. Failure to pick up the permit within the 30 days will require

payment of fees in effect at the time the permit is picked up.

Section 3. St. Johns County Ordinance No. 87-58, as previously amended, is hereby amended by adding the following subparagraph H to Section Eleven thereof (Use of Funds):

H. Funds may be used to pay court costs, legal fees, and associated expenses, including judgements, if any, incurred in the administration, enforcement and defense of the park facilities impact fee program.

Section 4. St. Johns County Ordinance No. 87-58, as previously amended, is hereby amended by deleting subsection A from Section Eleven (Use of Funds) thereof and by adding and substituting the following subsection A in its stead:

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. Such funds may also be used to acquire County easements and/or licenses (whether exclusive or non exclusive) of 20 or more years duration and to make park and recreation capital improvements thereon when the County has, in its discretion, acquired sufficient exclusive and/or non exclusive rights to use or direct the use of such improvements for public uses and purposes.

Section 5. St. Johns County Ordinance No. 87-58, as previously amended, is hereby amended by adding the following Section 19 thereto:

Section 19. Appeals.

A. Any decision made by the County Administrator in the course of administering the provisions of this ordinance may be appealed to the Board of County Commissioners by filing a petition of appeal with the County Administrator within thirty(30) calendar days of the date of the rendition of the decision.

B. The Board of County Commissioners shall review the petition at a public meeting within thirty (30) calendar days from the date of appeal of said decision. The petitioner shall be provided reasonable notice of the time, date, and place of the public meeting by certified mail, return receipt requested,

and invited to attend. Testimony at the public meeting shall be limited to ten (10) minutes per side, unless an extension of time is granted by the Board. The Board's decision shall be final for the purpose of administrative appeals.

The Board of County Commissioners shall revoke the decision of the County Administrator only if there is competent, substantial evidence in the record that the decision fails to comply with this Ordinance.

Section 6. This Ordinance shall take effect upon its being filed with the Secretary of State of Florida.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, State of Florida, this 8 day of December, 1998.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Marc A. Jacalone
Marc A. Jacalone, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Cheryl Strickland
Deputy Clerk

Effective Date: December 14, 1998

5

Ordinance Book 21 Page 788

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 _____

LINDA Y MURRAY 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 PUBLIC HEARING

in the matter of ST JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS

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

issues of OCTOBER 16, 1998

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 28th day of OCTOBER, 1998,

by Linda Y Murray who is personally
known to me or who has produced _____ as
(Type of Identification)
identification.

Zoe Ann Moss
(Signature of Notary Public)



Zoe Ann Moss
MY COMMISSION # CG641814 EXPIRES
August 22, 2001
BONDED THRU TROY FAIR INSURANCE, INC.

(Seal)

ZOE ANN MOSS

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

Ordinance Book 21 Page 789

AP21107

CO NT

HEARINGS BY THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, at a regular meeting on Tuesday, October 27, 1998, at 1:30 p.m. in the County Auditorium, at the County Administration Complex, 14020 Lewis Speedway (County Road 19-A) and U.S. 1 North, St. Augustine, Florida, will hold public hearings to consider adoption of the following ordinance:

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA AMENDING THE COUNTY'S EDUCATIONAL FACILITIES IMPACT FEE ORDINANCE (ORDINANCE NO. 87-80) AS PREVIOUSLY AMENDED. THIS ORDINANCE MAKES FINDINGS, MODIFIES THE DOLLAR AMOUNTS OF THE EDUCATIONAL FACILITIES IMPACT FEES, CONFIRMS THAT EDUCATIONAL FACILITIES IMPACT FEES MUST BE PAID AND COLLECTED FOR RESIDENTIAL DEVELOPMENT WITHIN MUNICIPALITIES SPECIFICALLY AUTHORIZED ENFORCEMENT PROCEDURES, ALLOWS ADDITIONAL USES FOR THE COLLECTED FEES, PROVIDES FOR APPEALS, AND PROVIDES AN EFFECTIVE DATE.

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA AMENDING ST. JOHNS COUNTY ORDINANCE NO. 87-58, AS PREVIOUSLY AMENDED (THE ST. JOHNS COUNTY PARK IMPACT FEE ORDINANCE). THIS ORDINANCE MAKES FINDINGS, MODIFIES THE DOLLAR AMOUNTS OF THE PARK IMPACT FEES, ALLOWS ADDITIONAL USES FOR THE COLLECTED FEES, PROVIDES FOR APPEALS, AND PROVIDES AN EFFECTIVE DATE.

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA AMENDING ST. JOHNS COUNTY ORDINANCE NO. 87-58, AS PREVIOUSLY AMENDED (THE ST. JOHNS COUNTY PUBLIC CAPITAL FACILITIES IMPACT FEE ORDINANCE). THIS ORDINANCE MAKES FINDINGS, MODIFIES THE DOLLAR AMOUNTS OF THE PUBLIC CAPITAL FACILITIES IMPACT FEES, ALLOWS ADDITIONAL USES FOR THE COLLECTED FEES, MODIFIES THE DEFINITION OF PUBLIC CAPITAL FACILITIES, PROVIDES FOR APPEALS, AND PROVIDES AN EFFECTIVE DATE.

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA AMENDING ST. JOHNS COUNTY ORDINANCE NO. 87-57, AS PREVIOUSLY AMENDED (THE ST. JOHNS COUNTY ROAD IMPACT FEE ORDINANCE). THIS ORDINANCE MAKES FINDINGS, MODIFIES THE DOLLAR AMOUNTS OF THE ROAD IMPACT FEES, MODIFIES THE DEFINITION OF CAPITAL IMPROVEMENT, ALLOWS ADDITIONAL USES FOR THE COLLECTED FEES, PROVIDES FOR APPEALS, AND PROVIDES AN EFFECTIVE DATE.

The proposed ordinances are on file in the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 14020 Lewis Speedway (CR 19A and U.S. #1), St. Augustine, Florida and may be examined by parties interested prior to the public hearings. Interested parties may appear at the public hearings and be

heard with respect to the proposed ordinance.

If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the public hearings, 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 decision is 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 or an interpreter to participate in the proceedings should contact ADA Coordinator at (904) 823-2601 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32099. For hearing impaired individuals, Telecommunication Device for the Deaf (TDD), 823-2601 or Florida Relay Service, 1-800-955-8770, no later than 5 days prior to the date of the hearings.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHN'S COUNTY,
FLORIDA**
CHERYL STRICKLAND,
CLERK

By: Patricia DeGrande,
Deputy Clerk
L178A Oct. 16, 1998

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 _____

LINDA Y MURRAY 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 PUBLIC HEARING

in the matter of _____

ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS

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

issues of NOVEMBER 16, 1998

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 20th day of NOVEMBER 19 98,

by Linda Y Murray who is personally
known to me or who has produced PERSONALLY KNOWN as
(Type of Identification)
identification.



Zoe Ann Moss
MY COMMISSION # CC641814 EXPIRES
August 22, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

(Signature of Notary Public)

(Seal)

ZOE ANN MOSS
(Print, Type or Stamp Commissioned Name of Notary Public)

Ordinance Book 21 Page 791

AP21874

HEARINGS BY THE
ST. JOHNS COUNTY
BOARD OF COUNTY
COMMISSIONERS
NOTICE IS HEREBY GIVEN
that the Board of County
Commissioners of St. Johns
County, Florida, at a regular
meeting on Tuesday, Decem-
ber 8, 1998, at 1:30 p.m. in the
County Auditorium, at the
County Administration Com-
plex, 4020 Lewis Speedway
(County Road 16-A) and U.S. 1
North, St. Augustine, Florida,
will hold public hearings to
consider adoption of the fol-
lowing ordinances:
AN ORDINANCE OF ST.
JOHNS COUNTY, FLORIDA,
AMENDING THE COUNTY'S
EDUCATIONAL FACILITIES
IMPACT FEE ORDINANCE
(ORDINANCE NO. 87-80) AS
PREVIOUSLY AMENDED; THIS
ORDINANCE MAKES FIND-
INGS; MODIFIES THE DOL-
LAR AMOUNTS OF THE EDU-
CATIONAL FACILITIES IMPACT
FEES; CONFIRMS THAT
EDUCATIONAL FACILITIES
IMPACT FEES MUST BE PAID
AND COLLECTED FOR RESI-
DENTIAL DEVELOPMENT
WITHIN MUNICIPALITIES;
SPECIFICALLY AUTHORIZES
ENFORCEMENT PROCEED-
INGS; ALLOWS ADDITIONAL
USES FOR THE COLLECTED
FEES; PROVIDES FOR AP-
PEALS; AND PROVIDES AN
EFFECTIVE DATE.
AN ORDINANCE OF ST.
JOHNS COUNTY, FLORIDA,
AMENDING ST. JOHNS
COUNTY ORDINANCE NO.
87-58, AS PREVIOUSLY
AMENDED, (THE ST. JOHNS
COUNTY PARK IMPACT FEE
ORDINANCE); THIS ORDI-
NANCE MAKES FINDINGS;
MODIFIES THE DOLLAR
AMOUNTS OF THE PARK
IMPACT FEES; ALLOWS ADDI-
TIONAL USES FOR THE COL-
LECTED FEES; PROVIDES
FOR APPEALS; AND PRO-
VIDES AN EFFECTIVE DATE.
AN ORDINANCE OF ST.
JOHNS COUNTY, FLORIDA,
AMENDING ST. JOHNS
COUNTY ORDINANCE NO.
87-59, AS PREVIOUSLY
AMENDED, (THE ST. JOHNS
COUNTY PUBLIC CAPITAL
FACILITIES IMPACT FEE
ORDINANCE); THIS ORDI-
NANCE MAKES FINDINGS;
MODIFIES THE DOLLAR
AMOUNTS OF THE PUBLIC
CAPITAL FACILITIES IMPACT
FEES; ALLOWS ADDITIONAL
USES FOR THE COLLECTED
FEES; MODIFIES THE DEFINI-
TION OF PUBLIC CAPITAL
FACILITIES; PROVIDES FOR
APPEALS; AND PROVIDES
AN EFFECTIVE DATE.
AN ORDINANCE OF ST.
JOHNS COUNTY, FLORIDA,
AMENDING ST. JOHNS
COUNTY ORDINANCE NO.
87-57, AS PREVIOUSLY
AMENDED, (THE ST. JOHNS
COUNTY ROAD IMPACT FEE
ORDINANCE); THIS ORDI-
NANCE MAKES FINDINGS;
MODIFIES THE DOLLAR
AMOUNTS OF THE ROAD
IMPACT FEES; MODIFIES THE
DEFINITION OF CAPITAL
IMPROVEMENT; ALLOWS
ADDITIONAL USES FOR THE
COLLECTED FEES; PRO-
VIDES FOR APPEALS; AND
PROVIDES AN EFFECTIVE
DATE.
The proposed ordinances are
on file in the office of the Clerk
of the Board of County
Commissioners at the St.
Johns County Administration
Complex, 4020 Lewis Speed-

SENT

way (CR 16A and U.S. #1), St. Augustine, Florida and may be examined by parties interested prior to the public hearings. Interested parties may appear at the public hearings and be heard with respect to the proposed ordinance. If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the public 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 NEED-
 ING SPECIAL ACCOMMODA-
 TIONS AND TO ALL HEARING
 IMPAIRED PERSONS:** In ac-
 cordance with the Americans
 with Disabilities Act, persons
 needing a special accommo-
 dation or an interpreter to par-
 ticipate in the proceedings
 should contact ADA Coordina-
 tor at (904) 823-2601 or at the
 County Administration Build-
 ing, 4020 Lewis Speedway,
 St. Augustine, FL 32085. For
 hearing impaired individuals:
 Telecommunication Device for
 the Deaf (TDD): 823-2601 or
 Florida Relay Service, 1-800-
 655-8770, no later than 5 days
 prior to the date of the hear-
 ings.

BOARD OF COUNTY
 COMMISSIONERS OF
 ST. JOHNS COUNTY,
 FLORIDA
 CHERYL STRICKLAND,
 By: _____ ITS CLERK
 _____ Deputy Clerk
 (L402A) Nov. 16, 1998