

ORDINANCE NO. 2003- 74

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA AMENDING ST. JOHNS COUNTY ORDINANCE NO.: 87-57, AS AMENDED, (THE ST. JOHNS COUNTY ROAD IMPACT FEE ORDINANCE). THIS AMENDMENT AMENDS SECTION 13(B) OF THE ORDINANCE AND AUTHORIZES PERSONS AND ENTITIES WHO DO NOT MEET THE DEFINITION OF FEEPAYER AS SUCH WORD IS DEFINED IN THE DEFINITION SECTION OF THE ORDINANCE (BECAUSE THEIR TRAFFIC GENERATING LAND DEVELOPMENT ACTIVITY DOES NOT REQUIRE ISSUANCE OF A BUILDING PERMIT OR MOBILE HOME INSTALLATION PERMIT) TO RECEIVE ROAD IMPACT FEE CREDITS WHEN THEY ARE REQUIRED TO - OR VOLUNTARILY - DEDICATE NON-SITE RELATED RIGHT OF WAY TO THE COUNTY AND/OR THEY ARE REQUIRED TO - OR VOLUNTARILY - CONSTRUCT OR PROVIDE NON-SITE RELATED ROADWAY IMPROVEMENTS FOR THE COUNTY; AND IT PROVIDES AN EFFECTIVE DATE.

WHEREAS, the County Road Impact Fee Ordinance requires that a person must be a feepayer in order to receive road impact fee credits for mandatory or required non-site related right of way dedications and/or roadway improvements and/or for voluntarily offered non-site related right of way dedications and/or roadway improvements; and

WHEREAS, the County Road Impact Fee Ordinance defines "feepayer" as a person that commences a land development activity which generates traffic and which requires the issuance of a building permit or permit for mobile home installation; and

WHEREAS, it is appropriate and fair that non feepayers (persons and entities that do not meet the definition of "feepayer" because their traffic generating land development activity does not require issuance of a building permit or mobile home installation permit) as well as feepayers have the ability to receive County road impact fee credits for mandatory or required non-site related right of way dedications and/or roadway improvements and/or for voluntarily offered non-site related right of way dedications and/or roadway improvements.

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

Section 1. Section 13(B) of St. Johns County ordinance 87-57, as previously amended, is hereby amended by adding the following subsection 8 thereto:

8. The word feepayer as used in this Section 13(B) shall mean
  - (A) "feepayer" as such word is defined in the definition section of ordinance 87-57 as amended from time to time

and shall also include and mean (B) other persons and entities that commence a land development activity within a project which project generates traffic and requires the issuance of a building permit or permit for mobile home installation but which land development activity does not require the issuance of a building permit or permit for mobile home installation.

Section 2. This ordinance shall take effect upon a certified copy being filed with the Department of State of Florida.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida, this 26th day of August, 2003.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant  
James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk of Court

RENDITION DATE 08/29/03

By: Juanne King  
Deputy Clerk

Effective Date: 09/02/03



THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING 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 an 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 ORDINANCE # 87-57

SJC ROAD IMPACT FEE

in the Court, was published in said newspaper in the issues of

AUGUST 15, 2003

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, for a period of one year 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.

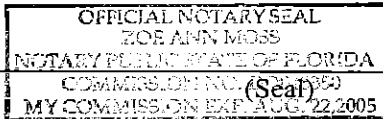
Sworn to and subscribed before me this 15TH day of AUGUST 2003

by [Signature] who is personally known to me or who has produced PERSONALLY KNOWN as identification.

[Signature of Notary Public]

(Signature of Notary Public)

Zoe Ann Moss



ORDINANCE BOOK 32 PAGE 287

COPY OF AD

NOTICE OF A PUBLIC HEARING BY THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS... NOTICE IS HEREBY GIVEN: that the Board of County Commissioners of St. Johns County, Florida, will hold a public hearing on Tuesday, August 26th, 2003 at 1:30 p.m. in the County Auditorium at the County Administration Complex, 4020 Lewis Speedway (County Road 16-A) and U.S. 1 North, St. Augustine, Florida, to consider adoption of the following ordinance: AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA AMENDING ST. JOHNS COUNTY ORDINANCE NO. 87-57, AS AMENDED, (THE ST. JOHNS COUNTY ROAD IMPACT FEE ORDINANCE) THIS AMENDMENT AMENDS SECTION 13(B) OF THE ORDINANCE AND AUTHORIZES PERSONS AND ENTITIES WHO DO NOT MEET THE DEFINITION OF FEEPAYER AS SUCH WORD IS DEFINED IN THE DEFINITION SECTION OF THE ORDINANCE TO RECEIVE ROAD IMPACT FEE CREDITS WHEN THEY ARE REQUIRED TO - OR VOLUNTARILY - DEDICATE NON-SITE RELATED RIGHT OF WAY TO THE COUNTY AND/OR THEY ARE REQUIRED TO - OR VOLUNTARILY - CONSTRUCT OR PROVIDE NON-SITE RELATED ROADWAY IMPROVEMENTS FOR THE COUNTY. IT DESCRIBES WHERE SUCH ROAD IMPACT FEE CREDITS MAY BE USED; AND IT PROVIDES AN EFFECTIVE DATE. The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (CR 16A and U.S. 1), St. Augustine, Florida and may be examined by parties interested prior to the public hearing. Interested parties may appear at the public hearing and be heard with respect to the proposed ordinance. If a person decides to appeal a 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 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 the proceedings should contact ADA Coordinator, at (904) 823-2505 at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing. BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA. CHERYL STRICKLAND, ITS CLERK. By: Patricia DeGrande, Deputy Clerk. L1772-J, AUG 15, 2003