

RESOLUTION NO. 2024 - 466

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO APPROVE THE TRANSFER OF UNUSED ROAD IMPACT FEE CREDITS FROM THE BARTRAM PARK PUD TO THE SIX MILE CREEK PUD**

**WHEREAS**, pursuant § 163.31801, Fla. Stat. (2021), the COUNTY imposes impact fees to ensure that new development bears a proportionate share of the cost of roads, parks, schools and public capital facilities necessary to serve the new development; and

**WHEREAS**, § 163.31801(10), Fla. Stat. (2021) allows for the transfer of unused impact fee credits to other developments under certain conditions; and

**WHEREAS**, the COUNTY and the developer of the Bartram Park PUD (DEVELOPER) entered into that certain Impact Fee Credit Agreement (Agreement) on October 7, 2014 and recorded in Book 3949 Page 613 of the Official Records of St. Johns County, Florida; and

**WHEREAS**, Section 4 of the Agreement allows for the assignment of unused road impact fee credits, subject to the approval of the COUNTY; and

**WHEREAS**, Section 13 of the Road Impact Fee Ordinance 87-57 provides that impact fee credits cannot be transferred without approval of the COUNTY; and

**WHEREAS**, the DEVELOPER has requested to transfer \$3,646,036.00 in unused road impact fee credits to the Six Mile Creek PUD; and

**WHEREAS**, the Six Mile Creek PUD and the Bartram Park PUD are both located in Impact Fee District 1 (Northwest); and

**WHEREAS**, as a condition of the proposed transfer, the DEVELOPER is required to provide the County a copy of the instrument selling, transferring, assigning or granting the above-described allocation of Road Impact Fee Credits; and

**WHEREAS**, transferred credits may only be applied to road impact fees due and may not be used to satisfy concurrency mitigation, if required; and

**WHEREAS**, the COUNTY agrees that the requested transfer meets the requirements of the Road Impact Fee Ordinance, Agreement and Florida law and will complete the transfer upon receipt of the instrument conveying the credits.

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

1. The above recitals are hereby adopted as findings of fact.

2. The County Administrator, or designee, is hereby authorized to approve the transfer of unused impact fee credits as described above.
3. To the extent that there are typographical and/or administrative errors and/or omissions that do not change the tone, tenor, or context of this Resolution, then this Resolution may be revised without subsequent approval of the Board of County Commissioners.

**PASSED AND ADOPTED** by the Board of Board of County Commissioners of St. Johns County, Florida this 5th day of November 2024.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

Rendition Date NOV 07 2024

By: \_\_\_\_\_  
Sarah Arnold, Chair

Effective Date: NOV 05 2024

ATTEST: Brandon J. Patty, Clerk of  
the Circuit Court & Comptroller

By: Robin L. Platt  
Deputy Clerk

Rendition Date: NOV 07 2024

