

7**AGENDA ITEM
ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS***Deadline for Submission - Wednesday 9 a.m. – Thirteen Days Prior to BCC Meeting***10/6/2026****BCC MEETING DATE****TO:** Joy Andrews, County Administrator**DATE:** September 14, 2026**FROM:** Jan Trantham, Senior Transportation Planner**PHONE:** 904 209-0611**SUBJECT OR TITLE:** Amendment to Durbin Creek National Road Capacity Charge Ordinance 2020-19**AGENDA TYPE:** Ordinance, Public Hearing**BACKGROUND INFORMATION:**

The subject Road Capacity Charge Ordinance (RCC) is one of two implementing ordinances of the Durbin Creek National Development Agreement. The other is the Durbin Tax Increment Ordinance 2015-05. Both ordinances provide a financing mechanism for funding the roadway improvements required by the Durbin Creek National Development Agreement. The RCC ordinance suspends the normal transportation impact fee in the same geographic area as the Durbin Creek National Urban Service Area, Development Agreement and Tax Increment Ordinance. It imposes a road capacity charge instead of the road impact fee for development within the same area. Upon payment, the road capacity charge goes into the St. Johns County Transportation Trust Fund along with the tax increment to fund required transportation improvements in the area. The proposed amendment to the Durbin Creek National Road Capacity Charge Ordinance adds the single family use, incorporates the land use conversion requested to accommodate the proposed modified plan of development (decrease multi-family and add single family). There is no change to the total anticipated revenue of \$12,862,873 based on the revised plan of development as there is no increase in the total project trip generation. The proposed amendments are consistent with the Third Amendment to the Durbin Creek National Development Agreement (DEVAGRMOD 2026-01).

1. IS FUNDING REQUIRED? No**2. IF YES, INDICATE IF BUDGETED.** No**IF FUNDING IS REQUIRED, MANDATORY OMB REVIEW IS REQUIRED:****INDICATE FUNDING SOURCE:****SUGGESTED MOTION/RECOMMENDATION/ACTION:**

Motion to enact Ordinance 2026-_____, amending the Durbin Creek National Road Capacity Charge Ordinance 2020-19; finding the ordinance consistent with the St. Johns County Comprehensive Plan, and the Land Development Code.

For Administration Use Only:**Legal:** Kealey West 9/18/2026**OMB:** ARM 9/18/2026**Admin:** Brad Bradley 9/21/2026

PROPOSED CHANGES TO ORDINANCE NO. 2020-19

ORDINANCE NO. 2026-_____

AN ORDINANCE AMENDING ROAD CAPACITY CHARGES WITHIN THE PROPERTY ENCOMPASSED BY THE DEVELOPMENT AGREEMENT BETWEEN DURBIN CREEK NATIONAL LLC AND THE COUNTY; AMENDING THE FEE SCHEDULE FOR THE CALCULATION OF THE ROAD CAPACITY CHARGES; INCORPORATING THE DEFINITIONS IN THE DEVELOPMENT AGREEMENT INTO THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. PURPOSE. The intent and objective of this Ordinance is to amend Ordinance No. 2015-6, as amended by Ordinance No. 2020-19, to revise Road Capacity Charges in a manner consistent with the modifications to the Durbin Park Development Agreement dated February 9, 2015 and recorded in Official Records Book 3986, Page 1862, as amended by that certain First Amendment to Development Agreement dated January 19, 2017 and recorded in Official Records Book 4319, Page 1805, as further amended by that certain Second Amendment to Development Agreement dated May 26, 2020 and recorded in Official Records Book 4951, Page 1179, and as further amended by that certain Third Amendment to Development Agreement dated _____, 2026 and recorded in Official Records Book _____, Page _____, all of the Public Records of St. Johns County, Florida (collectively, the "Development Agreement"), as a dedicated source for the funding the Proposed Roadway Improvements to be constructed pursuant to the provisions of the Development Agreement.

SECTION 2. FINDINGS. It is hereby ascertained, determined and declared that:

(A) The County has amended the Development Agreement to revise the Projected Development to include single-family as a permitted land use only on a portion of the property subject to the Development Agreement located east of Interstate 95 and to provide a Road Capacity Charge for single-family units.

(B) The projected total Roadway Improvement Costs for all Phases as described in Subsection 5.3(b) of the Development Agreement, as amended, continues to exceed the amount of Transportation Impact Fees projected to be received from the Projected Development, as revised, as acknowledged in Section 5.6 of the Development Agreement.

SECTION 3. DEFINITIONS. All defined terms set forth in this Ordinance shall be as defined in Ordinance 2015-6 and the Development Agreement unless otherwise defined herein.

SECTION 4. AMENDMENT OF ROAD CAPACITY CHARGE.

(A) The amount of the Road Capacity Charge for the Projected Development, as revised, shall be determined by the application of the following amended Fee Schedule:

Durbin Roadway Improvement Assessment				
TOTAL	Quantity	Units	Fee/Unit	Total
Apartment	1,520	DU	\$1,567	2,381,840
Single Family	330	DU	\$3,538	1,167,415
Office	2,276,065	SF	\$904	2,057,563
Shopping	2,397,130	SF	\$2,803	6,719,155
Hotel	350	RM	\$1,204	421,400
Hospital	375,000	SF	\$308	115,500
TOTAL				\$12,862,873

Single-Family Road Capacity Charge = Apartments Charge (\$1,567) * 2.26

**For the purposes of this Ordinance, 1 hospital bed equals 2,500 SF.

If a building permit is required for mixed uses, then the fee shall be determined by an apportionment of space and committed uses as specified consistent with the Fee Schedule.

(B) If the type of development activity that a building permit is applied for is not specified on the Fee Schedule, the County Administrator shall use the fee applicable to the most nearly comparable type of land use on the Fee Schedule. The County Administrator shall be guided in the selection of a comparable type by the report titled Trip Generation: An Information Report (Third Edition) prepared by the Institute of Transportation Engineers.

SECTION 5. ORDINANCE NOS. 2015-6 and 2020-19. Except as amended by this Ordinance No. 2026-____, the terms and conditions of Ordinance No. 2015-6, as amended by Ordinance No. 2020-19, shall govern the Road Capacity changes for the Property.

SECTION 6. CONFLICT AND SEVERABILITY. In the event this Ordinance conflicts with any other ordinance of St. Johns County or other applicable law, the more restrictive shall apply. If any phrase or portion of the Ordinance is 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 portion.

SECTION 7. INCLUSION IN THE CODE OF LAWS AND ORDINANCES. The provisions of this Ordinance shall become and be made a part of the Code Ordinances of St. Johns County, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION 8. VENUE. Venue for any litigation pertaining to the subject matter in this Ordinance shall be exclusively in St. Johns County, Florida.

SECTION 9. EFFECTIVE DATE. This Ordinance shall be effective on _____, 2026.

PASSED AND ENACTED this _____ day of _____, 2026.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

Clay Murphy, Chair

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

By: _____
Deputy Clerk

USA TODAY CO.



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AFFIDAVIT OF PUBLICATION

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STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the St Augustine Record, published in St Johns County, Florida; that the attached copy of advertisement, being a , was published on the publicly accessible website of St Johns County, Florida, or in a newspaper by print in the issues of, on:

SAG St Augustine Record 09/15/2026

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 09/15/2026

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost:	\$328.40	
Tax Amount:	\$0.00	
Payment Cost:	\$328.40	
Order No:	12625790	# of Copies:
Customer No:	1523643	1
PO #:	DEVAGRMOD 2026-01/DURBIN PARK	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

MARIAH VERHAGEN
Notary Public
State of Wisconsin

NOTICE OF INTENT TO CONSIDER AMENDMENT OF AN APPROVED DEVELOPMENT AGREEMENT

NOTICE IS HEREBY GIVEN that a public hearing will be held on 10/06/2026 at 9:00 am before the Board of County Commissioners in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida, to consider an amendment to the development agreement between Durbin Creek National, LLC and St. Johns County dated February 9, 2015, as amended, to update the construction status of the proposed roadway improvements and related roadway improvement costs (DEVAGRMOD 2026-01 Durbin Park), and revise the projected development to reflect the revised development plan for a portion of the property, which is subject to an application for a Planned Unit Development Major Modification (Application No. MAJMOD 2026-09) seeking development approval to add a maximum 330 Single-Family Residential units as an allowed use within Mixed-Use Parcel E (AKA East Parcel), located on the eastern side of Interstate 95, and to reduce the maximum number of Multi-family Residential units allowed from 2,265 to 1,520. For residential dwellings, Single-Family units will have a maximum height of 35 feet, Multi-Family units will have a maximum height of 100 feet. Proposed population density will not exceed 13 units per developable acre.

This application seeks to amend Ordinance 2020-19 by amending road capacity changes to add Single-Family Residential units within the property encompassed by the development agreement modification referenced above.

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The property is located east and west of Interstate 95 and south of Race Track Road as generally described in the Project documents. See attached location map generally depicting the boundaries of DEVAGRMOD 2026-01 Durbin Park (Exhibit A). *A complete description is available in the St. Johns County Growth Management Office.*

This file is maintained in the Growth Management Department at the County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

Interested parties may appear at the meeting and be heard with respect to the proposed permit.

If a person decides to appeal any decision made with respect to any matter considered at the meetings or hearings, he/she will need a record of the proceedings and for such purpose may need to ensure that verbatim records of the proceedings are made, which records include the testimony and evidence upon which appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication, care of SJC Planning and Zoning Division, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING-IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the St. Johns County Facilities Management, 2416 Dobbs Road, St. Augustine, FL 32086. Hearing impaired persons, call Florida Relay Service (1-800-955-8770), no later than 5 days prior to the meeting.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
CLAY MURPHY, CHAIR
FILE NUMBER: DEVAGRMOD 2026-01
PROJECT NAME: DURBIN PARK

