

## SECTION 5.0 IMPACT FEE CREDIT AGREEMENTS

### Section 5.01 Introduction

An Impact Fee Credit Agreement is an agreement between the applicant and St. Johns County in which an applicant is given credits for improvements and dedications pursuant to Ordinances 87-57, 87-58, 87-59 and 87-60, as amended, and the Impact Fee General Administration Guidelines and Procedures Manual, as amended.

In order to be eligible for Impact Fee Credits the improvement or dedication should be consistent with the appropriate category as follows:

- A. Roads: Road and intersection improvements or right-of-way dedications shall be in accordance with Ordinance 87-57 and the Manual, and must be related to the mitigation of non-site impacts from the development for which application has been made.

No credit shall be given for Site-related Improvements. Site-related Improvements are defined in Ordinance 87-57 as follows:

“Capital improvements and right-of-way dedications for direct access improvements to and/or within the development in question. Direct access improvements include but are not limited to the following: (1) access roads leading to the development; (2) driveways and roads within the development; (3) acceleration and deceleration lanes, and right and left turn lanes leading to those roads and driveways; and (4) traffic control measures for those roads and driveways.”

- B. Parks: Park land dedication and/or park capital improvements in accordance with Ordinance 87-58 and the Manual.
- C. Public Capital Facilities: Public capital facilities land dedication and/or public capital facilities capital improvements as comply with Ordinance 87-59 and the Manual.
- D. Educational Facilities: All mandatory or required land dedications and/or educational facility improvements as are in accordance with Ordinance 87-60 and the Manual.

**Any claim for credits must be made no later than the time of application for a building permit or permit for mobile home installation. Any claim not so made shall be deemed waived. If land is to be donated to the County, application for Impact Fee Credits should be made prior to dedication.**

ADDRESS: 4040 Lewis Speedway, St. Augustine, FL 32084

PHONE NUMBER/FACSIMILE NUMBER: (904)209-0675 Planning Department  
(904)209-0743 Fax

FILING FEE: [Fee Schedule.](#)

## **Section 5.02 Application Process**

One (1) copy (unless otherwise noted) of the following items should be included in an Impact Fee Credit Agreement Application. (If the application contains pages exceeding 8 1/2" x 11", then 10 copies of such pages will be required).

- A. Copy of Impact Fee Credit Agreement Application
- B. A letter identifying the capital improvements and/or dedications for which credits are claimed.
- C. Construction cost estimates and acceptable engineering drawings and specifications for approved construction projects and/or final payment estimates and drawings for completed projects, and/or
- D. The value of land dedications as determined by a qualified appraiser or as contained in the official records of the St. Johns County Property Appraisers Office. (A qualified appraiser shall be defined as a State certified general appraiser who is also on St. Johns County's approved appraiser list.) (2 copies)
- E. Maps and plans showing the location and extent of the capital improvements and/or land dedications for which credits are claimed.
- F. Proposed Impact Fee Credit Agreement
- G. Proposed Resolution
- H. Proposed Voucher (voucher must be prepared with a voucher #)

## **Section 5.03 Review Process**

- A. The complete application is submitted to the Planning Department.
- B. The application is routed to the reviewing departments. These departments have 20 working days to review the application and provide comments to the Planning Department.
- C. Comments are then submitted to the applicant by mail, email, and/or fax.
- D. The applicant shall then respond in writing, addressing each comment and providing additional information as needed in the resubmittal.
- E. The resubmittal will then be routed to the appropriate reviewing departments and be returned to the Planning Department within 10 working days.
- F. The resubmittal process will continue until the agreement is deemed to be sufficient to be scheduled for the Board of County Commissioners.

#### **Section 5.04 Public Hearing**

The Impact Fee Agreement will then be scheduled as a Business Item on the first available Board of County Commissioners Meeting as determined by the County Administrator.

- A. If the Impact Fee Credit Agreement is approved, the Resolution will be signed by the Board's Chairperson and recorded by the Clerk. The credits will then be recorded as approved in the specified categories (i.e. Roads, Parks, Public Capital Facilities and Educational Facilities).
- B. If the item is denied, an appeal may be filed within 30 days of the Board Action.

#### **Section 5.05 Implementation**

Once an agreement is enacted, all designated Impact Fees applicable to the project will be paid directly to the Applicant named in the agreement and a voucher presented to the Impact Feepayer. The Feepayer will then present the voucher to St. Johns County at the time a clearance sheet is pulled and the credits will be deducted from the appropriate account. This holds true only as long as the Applicant has credits remaining.