

FILED
2009 MAY 12 PM 3:42
TALLAHASSEE, FLORIDA

ORDINANCE NO. 2009-023

AN ORDINANCE OF SARASOTA COUNTY, FLORIDA, AMENDING THE ROAD IMPACT FEE REGULATIONS AS CODIFIED IN CHAPTER 70, ARTICLE III OF THE SARASOTA COUNTY CODE; AMENDING SECTION 70-99 RELATING TO THE APPLICABLE FEE SCHEDULE; FINDING THE AMENDMENTS CONSISTENT WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Sarasota County has established a system of road impact fees in Chapter 70, Article III of the Sarasota County Code, and said fee system is one part of an overall growth management program as set forth in Sarasota County Comprehensive Plan.

WHEREAS, the Sarasota County Commission recognizes construction activity as an important component of the local economy and seeks to balance the need for a viable economy with the need to provide adequate infrastructure.

WHEREAS, the Sarasota County Commission has provided the City of North Port, the City of Sarasota, the City of Venice, and the Town of Longboat Key with adequate notice and time for review, comments, and public hearings regarding this amendment, pursuant to the road impact fee regulations and the interlocal agreements between the County and each of the municipalities.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA.

Section 1. This Ordinance hereby amends Chapter 70, Article III of the Sarasota County Code of Ordinances. In this Ordinance, new text is indicated by underlining and deleted text is indicated by ~~strikethrough~~.

Section 2. Amend Subsection 70-99(b)(12) as follows:

(b) Applicable Impact Fee schedule.

(12) Attachment "A" (2008) shall, unless otherwise provided for under this subsection (12), determine the applicable fee per trip generation unit for Certificates of Occupancy for Principal Uses issued on or after June 1, ~~2009~~2010. In the event that the road impact fee for a Principal Use is a lesser amount under Attachment "A" (2007) than under Attachment "A" (2008), Attachment "A" (2007) shall determine the applicable fee per trip generation unit for Certificates of Occupancy for such Principal Uses issued on or after June 1, ~~2009~~2010, where the application for the corresponding Building Permit was submitted to and accepted by the County or municipality before June 1, ~~2009~~2010;

BOARD RECORDS
FILED FOR RECORD
MAY 12 8 47 10 AM '09
KELLY RUSHING
CLERK OF COUNTY COMMISSIONERS
SARASOTA COUNTY, FLORIDA

provided, however the applicant proceeds to issuance of the Certificate of Occupancy without invalidation, suspension or abandonment of the corresponding Building Permit.

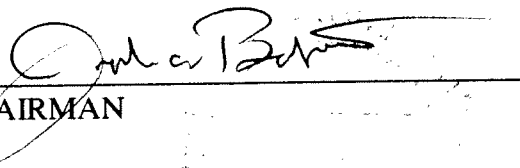
Section 3. Finding of Consistency with the Comprehensive Plan. The Board of County Commissioners, sitting as the Land Development Regulation Commission, has reviewed the amendments enumerated herein and has found them consistent with the Sarasota County Comprehensive Plan.

Section 4. Severability. Should any sentence, clause, part, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance or Article as a whole, or any part thereof other than the part declared to be invalid.

Section 5. Effective Date. This Ordinance shall take effect upon receipt of official acknowledgement from the office of the Secretary of the State of Florida that this ordinance has been filed with said office.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 5th day of May 2009.

BOARD OF COUNTY COMMISSIONERS
SARASOTA COUNTY, FLORIDA

BY: 
VICE CHAIRMAN

ATTEST:

KAREN E. RUSHING, Clerk of
The Circuit Court and Ex-Officio
Clerk of the Board of County
Commissioners of Sarasota
County, Florida

BY: 
Deputy Clerk

STATE OF FLORIDA
COUNTY OF SARASOTA
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILED
IN THIS OFFICE WITNESS MY HAND AND OFFICIAL

SEAL THIS DATE May 8, 2009
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY: 