

RESOLUTION R-97-189

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA, EXTENDING THE PERIOD FOR EXPENDITURE OF TRANSPORTATION IMPACT FEES COLLECTED IN TRANSPORTATION IMPACT FEE DISTRICT A, IN ACCORDANCE WITH SECTION 805 OF THE LAND DEVELOPMENT CODE

WHEREAS, Manatee County, Florida has adopted a Land Development Code which provides for impact fees levied pursuant to Article VIII of the Florida Constitution and Chapters 125 and 163 of the Florida State Statutes; and

WHEREAS, Section 803 of the Land Development Code (LDC) authorizes imposition of impact fees on new development, certain proceeds from which must be used for transportation projects; and

WHEREAS, Section 803 of the Land Development Code generally requires that fees be spent from districts where the fees were collected; and

WHEREAS, Section 805 of the Land Development Code provides that in the event fees are not expended or encumbered for planning, engineering, acquisition or construction by the end of the calendar quarter within seven years from the last Certificate of Occupancy, an extension by up to three years may be granted by adoption of a Resolution by the Board of County Commissioners granting the extension; and

WHEREAS, certain Transportation Impact Fee District funds have been collected that will not be expended or encumbered for planning, engineering, acquisition or construction within the seven years as required by Section 805.7.3 of the LDC; and

WHEREAS, there are certain capital improvements planned to be constructed prior to September 30, 2000 that will substantially benefit the development against which fees were assessed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

SECTION 1: The whereas clauses set forth above are hereby adopted as findings of fact in accordance with Section 805.7.3 of the LDC

SECTION 2: The deadline for expenditure of Transportation Impact Fees collected in Transportation Impact Fee District A, prior to September 30, 1990 is hereby extended three years, until September 30, 2000.

PASSED AND DULY ADOPTED with a quorum present and voting this the 16 day of September, 1997.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: *Steven M. Glass*
Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

R. B. Shore