

1 **WHEREAS**, this temporary suspension shall not affect the validity of any
2 studies, master plans, or data supporting the calculation, imposition or expenditure of the
3 suspended impact fees, and the suspended fees shall not be considered new or increased
4 impact fees when the suspension is phased out beginning on July 1, 2013 or terminated
5 on June 30, 2015; and

6 **WHEREAS**, to the extent it is determined that the suspended fees are new or
7 increased impact fees when the suspension is phased out beginning on July 1, 2013 or
8 terminated on June 30, 2015, the Volusia County Council hereby gives notice, by
9 publication and adoption of this Ordinance, of its intent to increase the suspended impact
10 fees in phases effective July 1, 2013; July 1, 2014; and July 1, 2015.

11 BE IT ORDAINED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY,
12 FLORIDA, AS FOLLOWS:

13 **(Words in ~~strikethrough~~ type are deletions; words in underscore type are**
14 **additions.)**

15 **SECTION II:** Chapter 70, article III, section 70-75, of the Code of Ordinances,
16 County of Volusia is amended to read as follows:

17 **Sec. 70-75. Imposition.**

18 ...

19 (d) Temporary suspension of residential thoroughfare road impact fees.
20 (1) The imposition of residential thoroughfare road impact fees shall be
21 temporarily suspended for all residential building permits for which an
22 application has been date stamped received on or after July 1, 2011,
23 according to the following schedule:

1 a. All residential thoroughfare road impact fees, as established by this
2 article, shall be suspended for a period beginning on July 1, 2011
3 and extending through June 30, 2013.

4 b. Two-thirds (2/3) of all residential thoroughfare road impact fees, as
5 established by this article, shall be suspended for a period
6 beginning on July 1, 2013 and extending through June 30, 2014.

7 c. One-third (1/3) of all of residential thoroughfare road impact fees,
8 as established by this article, shall be suspended for a period
9 beginning on July 1, 2014 and extending through June 30, 2015.

10 (2) Area of applicability. The temporary suspension of residential
11 thoroughfare road impact fees established by this article shall only apply
12 in the areas within the following legal descriptions, as graphically depicted
13 on the Residential Impact Fee Temporary Suspension Area Map dated
14 August 15, 2011:

15 a. East Zone. Those lands lying within the following described
16 boundary:

17 Beginning at the Northeasterly corner of Section 32, Township 12
18 South, Range 32 East, Volusia County, Florida, said corner being
19 the Northeast corner of described boundary for said Volusia
20 County, thence run southerly, along the Atlantic coastline and said
21 County Boundary, to the intersection with the Southerly line of the
22 Corporate Boundary of the City of New Smyrna Beach, Florida;
23 thence run Westerly, along said Corporate Boundary line, to its

1 intersection with the Westerly line of the Indian River; thence run
2 Southerly, along said Westerly line of River, to its intersection
3 with the Southerly Corporate Boundary of the City of Oak Hill,
4 Florida; thence run Westerly, along said Corporate Boundary, to
5 the Westerly Corporate Boundary line of said City of Oak Hill;
6 thence run Northerly, along said Corporate Boundary, to the
7 Northerly Corporate Boundary of said City of Oak Hill; thence run
8 Easterly, along said Corporate Boundary to its intersection with the
9 Westerly Corporate Boundary of the City of Edgewater, Florida;
10 thence run Northerly, and Westerly, along said Corporate
11 Boundary line, to its intersection with the centerline of Interstate
12 95; thence run Northerly, along said Centerline, to its intersection
13 with the Northerly Right of Way line of Pioneer Trail, said right of
14 Way line also being the Southerly Corporate Boundary of the City
15 of Port Orange, Florida; thence run Westerly, along said Corporate
16 Boundary, to the Westerly Corporate Boundary of said City of Port
17 Orange; thence run Northerly, along said Corporate Boundary, to
18 its intersection with the aforementioned Centerline of Interstate 95;
19 thence run Northerly, along said Centerline, to its intersection with
20 the Centerline of State Road 40; thence run Westerly, along said
21 Centerline, to its intersection with the Westerly Corporate
22 Boundary of the City of Ormond Beach, Florida; thence run
23 Northerly, along said Corporate Boundary, to the Northerly

1 Boundary of Volusia County, Florida; thence follow said Northerly
2 Boundary line to Coastline of the Atlantic Ocean and the Point of
3 Beginning.

4 b. Northwest Zone:

5 Those lands, including unincorporated areas, lying within the
6 exterior Corporate Limits of the City of Pierson, Florida.

7 c. Southwest Zone. Those lands lying within the following described
8 boundary:

9 Beginning at the intersection of the Centerline of State Road 415
10 and the Centerline of the St. Johns River, said Centerline of River
11 also being the Boundary line for Volusia County, Florida; thence
12 run Westerly and Northerly, along said County Boundary line, to
13 its intersection with the Northerly Corporate Boundary of the City
14 of DeBary, Florida; thence run Easterly, along said Corporate
15 Boundary, to its intersection with the Westerly Corporate
16 Boundary of the City of Orange City, Florida; thence run
17 Northerly, along said Corporate Boundary, to its intersection with
18 the Centerline of State Road 472, thence run Easterly, along said
19 Centerline, to its intersection with the Centerline of State Road
20 15/600 (U.S. 17/92); thence run Northerly, along said Centerline,
21 to its intersection with the Corporate Boundary of the City of
22 DeLand, Florida; thence run Westerly and Northerly, following
23 said Corporate Boundary, to its intersection with the Centerline of

1 State Road 15-A; thence run Northerly, along said Centerline, to its
2 intersection with the Centerline of State Road 44; thence run
3 Westerly, along said Centerline, to its intersection with Hazen
4 Road; thence run Northerly, along said Hazen Road, to its
5 intersection with the Centerline of Plymouth Avenue; thence
6 continue running Northerly, along said Hazen Road, to its
7 intersection with the aforementioned Corporate Boundary of the
8 City of DeLand; thence run Easterly, along said Corporate
9 Boundary, to its intersection with the aforementioned Centerline of
10 State Road 15-A; thence run Northerly, along said Centerline, to its
11 intersection with the aforementioned Corporate Boundary of the
12 City of DeLand; thence run Westerly and Northerly, along said
13 Corporate Boundary, to its intersection with Greens Dairy Road;
14 thence run Easterly, continuing along Corporate Boundary, to its
15 intersection with the Centerline of State Road 15-A; thence run
16 Northerly, along said Centerline to its intersection with State Road
17 15 (U.S. 17); thence, from said intersection, run Northeasterly,
18 along the Centerline of County Road 15-A, to its intersection with
19 State Road 11; thence run Southerly, along State Road 11, to its
20 intersection with the Northerly Corporate Boundary of the
21 aforementioned City of DeLand, thence run Easterly, along said
22 Corporate Boundary, to its intersection with Marsh Road; thence
23 run Southerly, along said Marsh Road, to its intersection with the

1 aforesaid Corporate Boundary of the City of DeLand; thence run
2 Easterly, along said Corporate Boundary, to the Easterly line
3 thereof; thence run Southerly, along said Easterly line and the
4 southerly projection thereof, to its intersection with the Centerline
5 of State Road 600 (U.S. 92); thence run Easterly, along said
6 Centerline, to its intersection with the Centerline of Kepler Road;
7 thence run Southerly, along said Centerline, to its intersection with
8 the Centerline of aforementioned State Road 44; thence run
9 Easterly, along said Centerline, to its intersection with County
10 Road 4139; thence run Southerly, along said County Road, to its
11 intersection with the aforementioned Corporate Boundary of the
12 City of DeLand; thence run Easterly, along said Corporate
13 Boundary, to Interstate 4; thence Southerly, along said Interstate 4,
14 to its intersection with Summit Avenue (C.R. 4139); thence run
15 Southerly, along said Summit Avenue, to its intersection with the
16 Corporate Boundary of the City of Lake Helen, Florida; thence run
17 Easterly, along said Corporate Boundary, to the Easterly Line
18 thereof; thence run Southerly, along said Easterly Boundary, to its
19 intersection with Lake Helen / Osteen Road; thence run Southerly,
20 along said Road, to its intersection with Corporate Boundary of the
21 City of Deltona, Florida; thence run Easterly to the Eastern
22 Corporate Boundary of said City of Deltona; thence run Southerly,
23 along said Eastern Boundary and its Southerly projection thereof,

1 to its intersection with the Centerline of State Road 415; thence run
2 Southerly, along said Centerline, to its intersection with the
3 Centerline of the aforesaid St. Johns River and the Point of
4 Beginning.

5
6 **SECTION II: AUTHORIZING INCLUSION IN CODE** – The provisions of this
7 ordinance shall be included and incorporated into the Code of Ordinances of the County
8 of Volusia, as additions or amendments thereto, and shall be appropriately renumbered to
9 conform to the uniform numbering system of the code.

10
11 **SECTION III: SEVERABILITY** – Should any word, phrase, sentence,
12 subsection or section be held by a court of competent jurisdiction to be illegal, void,
13 unenforceable, or unconstitutional, then that word, phrase, sentence, subsection or section
14 so held shall be severed from this ordinance and all other words, phrases, sentences,
15 subsections, or section shall remain in full force and effect.

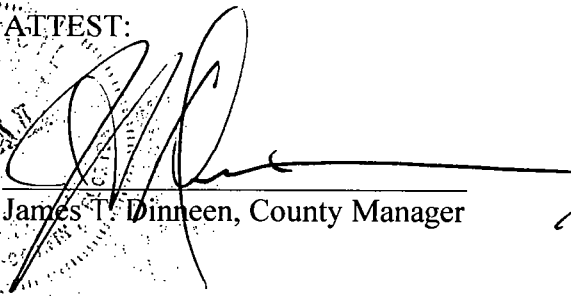
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17 **SECTION IV: EFFECTIVE DATE** – A certified copy of this Ordinance shall be
18 filed with the Department of State by the County Manager within ten (10) days after
19 enactment by the County Council and this Ordinance shall take effect upon filing with the
20 Department of State.

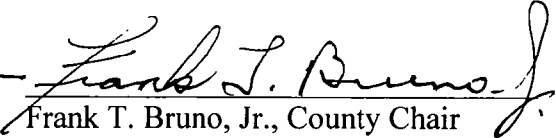
21
22 **ADOPTED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY,**
23 **FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE COUNTY**
24 **COUNCIL CHAMBERS AT THE THOMAS C. KELLY ADMINISTRATION**

1 CENTER, 123 WEST INDIANA AVENUE, DELAND, FLORIDA, THIS 18TH DAY
2 OF AUGUST, 2011.

3
4
5 COUNTY COUNCIL
6 COUNTY OF VOLUSIA, FLORIDA

7 ATTEST:

8
9
10
11 
James T. Dinneen, County Manager


Frank T. Bruno, Jr., County Chair