



**MONROE COUNTY, FLORIDA
MONROE COUNTY BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. 152 - 2016**

A RESOLUTION AMENDING RESOLUTION 118-2015, THE PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT FEE SCHEDULE; AMENDING THE FEE SCHEDULE TO INCLUDE NEW APPLICATION REQUIREMENTS AS ADOPTED BY THE 2030 COMPREHENSIVE PLAN AND THE NEW LAND DEVELOPMENT CODE (INCLUDING CONCEPT MEETINGS, BOCC IMPACT MEETINGS, COMMUNITY MEETINGS, ADDITIONAL NOTICING AND STAFF FACILITATION OF MEETINGS); TO ESTABLISH FEES FOR AN INCLUSIONARY HOUSING ALTERNATIVE COMPLIANCE APPLICATION; TO ESTABLISH FEES FOR A MAP DESIGNATION VERIFICATION APPLICATION; TO ESTABLISH FEES FOR A PLATTING LOT LINE ADJUSTMENT APPLICATION; TO ESTABLISH FEES FOR A TEMPORARY NON-EMERGENCY HOUSING APPLICATION; TO ROUND ALL PROPOSED AND CURRENT FEES TO THE NEAREST TENTH TO ELIMINATE AND REDUCE PAYMENT ERRORS; AND TO REPEAL ANY OTHER FEE SCHEDULES INCONSISTENT HEREWITH.

WHEREAS, the Monroe County Board of County Commissioners (BOCC) wishes to provide the citizens of the County with the best possible service in the most cost effective and reasonable manner; and

WHEREAS, the BOCC finds that it would be in the best interests of the general public to charge the true cost for such services, thereby placing the burden of such costs directly upon those parties deriving the benefit from such services; and

WHEREAS, the updated fee schedule prepared by the Senior Director of Planning & Environmental Resources for providing these services includes the estimated direct costs and reasonable indirect costs associated with the review and processing of planning and development approval applications and site plans, on-site biological reviews, appeals, preparation of official documentation, verifying existing development rights and other processes and services; and

WHEREAS, the BOCC has discussed the need to adjust the fee schedule to compensate the county for resources needed in excess of the fee estimates included in the base fees; and

WHEREAS, applicants for development review should pay the cost of the review, rather than those funds coming from other sources; and

WHEREAS, the BOCC adopted the 2030 Comprehensive Plan on April 13, 2016, which included additional requirements for development applications to ensure greater public noticing and increased opportunities for public participation in the planning process; and

WHEREAS, the BOCC adopted the new Land Development Code on April 13, 2016, which included additional requirements for development applications; including updated application submission requirements; additional requirements to ensure greater public noticing and increased opportunities for public participation in the planning process; and

WHEREAS, the BOCC heard testimony and evidence presented as to the appropriate fee schedule during a public hearing on August 17, 2016;

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

Section 1.

Pursuant to Section 102-19(g), the following schedule of fees to be charged to be charged by the Planning and Environmental Resources Department to persons filing text amendments, map amendments, land development permit applications, land development approval applications, and land development order applications however styled, and any land development order appeal however styled. The fees established shall generally be nonrefundable; provided, however, the Planning Director may approve a refund of up to 50 percent of the fee upon good cause shown by the applicant and the finding that the refund will not result in Department staff time costs or material costs already expended going unreimbursed

Application	Fee
Administrative Appeals	\$1,500.00
Administrative Relief	\$1,010.00
Alcoholic Beverage Special Use Permit	\$1,260.00
Appeal ROGO or NROGO to BOCC	\$820.00
Beneficial Use	\$4,490.00
Biological Site Visit (per visit)	\$280.00
Biologist Fee (Miscellaneous-per hour)	\$60.00
Boundary Determination	\$1,200.00
Comprehensive Plan, Text Amendment (plus \$850.00 for 2nd BOCC hearing)	\$6,470.00
Comprehensive Plan, Future Land Use Map (FLUM) Amendment (plus \$850.00 for 2nd BOCC hearing)	\$6,090.00
Conditional Use, Major, New/Amendment	\$11,400.00
Conditional Use, Minor, New/Amendment	\$8,480.00

Conditional Use, Minor, Transfer Development Rights (TDR)	\$1,240.00
Conditional Use, Minor, Transfer Nonresidential Floor Area (TRE)	\$1,940.00
Conditional Use, Minor, Transfer ROGO Exemption (TRE)	\$1,740.00
Conditional Use, Minor/Major, Minor Deviation	\$1,770.00
Conditional Use, Minor/Major, Major Deviation	\$3,500.00
Conditional Use, Minor/Major, Time Extension	\$990.00
Department of Administrative Hearings (DOAH) Appeals	\$820.00
Development Agreement/380 Agreement	\$13,460.00
Development of Regional Impact (DRI)	\$28,880.00
Dock Length Special Exception	\$1,030.00
Front Yard Setback Waiver, Administrative	\$1,250.00
Grant of Conservation Easement	\$270.00
Historic Special Certificate of Appropriateness	\$200.00
Home Occupation Special Use Permit	\$500.00
Inclusionary Housing Exemption	\$1,110.00
Inclusionary Housing Alternative Compliance	\$1,110.00
Land Development Code, Text Amendment	\$5,950.00
Land Use District Map, Map Amendment	\$5,570.00
Letter of Current Site Conditions	\$940.00
Letter of Development Rights Determination	\$2,210.00
Letter of ROGO Exemption	\$220.00
Map designation verification	\$60.00
NROGO Application - up to 10,000 SF	\$920.00
NROGO Application - 10,001-50,000 SF	\$1,260.00
NROGO Application - 50,001 SF or greater	\$1,540.00
Planning Fee (Miscellaneous-per hour)	\$50.00
Parking Agreement	\$1,010.00
Planning Site Visit	\$130.00
Platting, lot line adjustment	\$930.00
Platting, 5 lots or less	\$4,020.00
Platting, 6 lots or more	\$4,610.00
Pre-application with No Letter of Understanding	\$300.00
Pre-application with Letter of Understanding (vacant property)	\$890.00
Pre-application with Letter of Understanding (developed property)	\$1,450.00
Pre-application with Letter of Understanding only identifying the status of a nonconforming use	\$250.00
Pre-application with Letter of Understanding for new antenna-supporting structure	\$670.00
Preliminary Endangered Species Impact Assessment (SAG)	\$140.00
Public Assembly Permit	\$150.00
Dog in Restaurant Permit	\$150.00
Request for Records: Research, development approvals/permits and records (per hour)	\$50.00
Right-of-Way Abandonment	\$1,890.00
ROGO Application	\$850.00

ROGO Land Dedication Letter	\$240.00
Legislative Time Extension for Development Orders / Permits	\$250.00
Special Approval for Shoreline Setback deviations (3 or fewer dwelling units, Sec. 118-12(o)(2))	\$1,150.00
Special Certificate of Appropriateness	\$200.00
Temporary Construction Staging Areas	\$530.00
Temporary Non-emergency Housing (site security for capital improvement projects)	\$560.00
Tier Map Amendment (Zoning Overlay) – Other than IS/URM Platted Lot	\$4,670.00
Tier Map Amendment (Zoning Overlay)–single IS/URM Platted Lot Only	\$1,970.00
Vacation Rental Exemption (pursuant to Sec. 134-1(b))	\$180.00
Vacation Rental Permit (Initial)	\$490.00
Vacation Rental (Renewal)	\$100.00
Vacation Rental Manager License	\$110.00
Variance, Planning Commission, Signage	\$1,080.00
Variance, Planning Commission, Other than Signage	\$1,610.00
Variance, Administrative	\$1,250.00
Vested Rights Determination	\$2,250.00
Wetlands Delineation (per hour)	\$60.00

Planning and Environmental Resources Department applications may be subject to the following additional fees or requirements:

1. For any application that requires a public hearing(s) and/or surrounding property owner notification, advertising and/or notice fees; \$245.00 for newspaper advertisement and \$3.00 per property owner notice.
2. Affordable Housing: There shall be no application or other fees, except advertising and noticing fees, for affordable housing projects, except that all applicable fees shall be charged for applications for all development approvals required for any development under Sec.139-2 of the Monroe County Code and for applications for variances to setback, landscaping and/or off-street parking regulations associated with an affordable housing development.
3. There shall be no application or other fees, except advertising and noticing fees, for property owners who apply for a map amendment to the official LUD map and/or the official FLUM, if the property owner can provide satisfactory evidence that a currently, lawfully existing use on the site, also existed lawfully in 1992 and was deemed nonconforming by final adoption of the LUD map *and/or* a currently, lawfully existing use on the site, also existed lawfully on the site in 1997 and was deemed nonconforming by final adoption of the FLUM. To qualify for the fee exemption, the applicant must apply for a LUD and/or FLUM designation(s) that would eliminate the non-conforming use created with adoption of the existing designation(s) and not create an adverse impact to the community. Prior to submittal

of a map amendment application, the applicant must provide the evidence supporting the change and application for a fee exemption with the proposed LUD map/FLUM designations to the Monroe County Planning & Environmental Resources Department as part of an application for a Letter of Understanding. Following a review, the Director of Planning & Environmental Resources shall determine if the information and evidence is sufficient, and whether the proposed LUD map and/or FLUM designations are acceptable for the fee waiver, and approve or deny the fee exemption request. This fee waiver Letter of Understanding shall not obligate the staff to recommend approval or denial of the proposed LUD or FLUM Category.

4. Hearing fees: applicant shall pay half the cost of the hourly rate, travel and expenses of any hearing officer. The County is currently charged \$142.00 per hour by Department of Administrative Hearings (DOAH). If the fee charged to the County is increased, the charge will change proportionately. An estimated amount of one-half of the hearing officer costs as determined by the County Attorney shall be deposited by the applicant along with the application fee, and shall be returned to the applicant if unused.
5. Base fees listed above include a minimum of (when applicable) two (2) internal staff meetings with applicants; one (1) Development Review Committee meeting, one (1) Planning Commission public hearing; and one (1) Board of County Commission public hearing. If this minimum number of meetings/hearings is exceeded, the following fees shall be charged and paid prior to the private development application proceeding through public hearings:
 - a. Additional internal staff meeting with applicant.....\$500.00
 - b. Additional Development Review Committee public hearing.....\$600.00
 - c. Additional Planning Commission public hearing.....\$700.00
 - d. Additional Board of County Commissioners public hearing.....\$850.00

The Planning Director or designee shall assure these additional fees are paid prior to hearing scheduling. These fees apply to all applications filed after September 15, 2010.

6. Applicants for Administrative Appeal, who prevail after all appeals have been decided or where the appeal period(s) has expired, shall have the Administrative Appeal application fee refunded. A full refund does not require approval by the Board of County Commissioners; however, if the appellant only prevails on a portion of their appeal, the Board of County Commissioners shall determine the amount of the refund.
7. Concerning the application fees to amend the tier maps, the lesser application fee of \$1,970.00 is only available for applications to amend the tier designation of a single URM or IS platted lot. It may not be used to amend the tier designation of more than one lot.

8. Applicants for any processes listed above, and reviews and waivers pursuant to Article III. Parking and Loading, that are required to provide transportation studies related to their development impacts shall be required to deposit a fee of \$5,000 into an escrow account to cover the cost of experts hired by the Planning and Environmental Resources Department to review the transportation, parking and other related studies submitted by the applicant as part of the development review process or any map or text amendment submitted by a private applicant. Any unused funds deposited by the applicant will be returned upon permit or amendment approval. Monroe County shall obtain an estimate from the consultant they intend to hire to review the transportation, parking and other related studies for accuracy and methodology and if the cost for the review on behalf of Monroe County is higher than the \$5000, applicant shall remit the estimated amount. Any unused funds deposited by the applicant will be returned upon permit approval.

Section 2.

Any other fees schedules or provisions of the Monroe County Code inconsistent herewith are hereby repealed. The staff is hereby directed to implement these fees on all applications submitted after August 17, 2016.

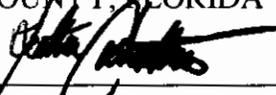
Section 3.

The Clerk of the Board is hereby directed to forward one (1) certified copy of this Resolution to the Planning and Environmental Resources Department.

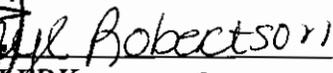
PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of Monroe County, Florida, at a regular meeting held on the 17th of August, 2016.

Mayor Heather Carruthers	<u>NOT PRESENT</u>
Mayor <i>Pro Tem</i> George Neugent	<u>YES</u>
Commissioner Danny L. Kolhage	<u>YES</u>
Commissioner David Rice	<u>YES</u>
Commissioner Sylvia Murphy	<u>YES</u>

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY 
Mayor Heather Carruthers



ATTEST: AMY HEAVILIN, CLERK

CLERK 9-9-16

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

STEVEN T. WILLIAMS
ASSISTANT COUNTY ATTORNEY
Date 8/1/16