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MONROE COUNTY, FLORIDA
MONROE COUNTY BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. 346 - 2018

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A RESOLUTION AMENDING RESOLUTION 152-2016, THE PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT FEE SCHEDULE TO ESTABLISH FEES FOR ANY AND ALL OUTSIDE CONTRACTORS, AGENTS OR CONSULTANTS USED BY MONROE COUNTY IN REVIEWING DEVELOPMENT APPLICATIONS; AND TO REPEAL ANY OTHER FEE SCHEDULES INCONSISTENT HEREWITH.

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

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WHEREAS, the Board 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

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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 Board 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 Board heard testimony and evidence presented as to the appropriate fee schedule during a public hearing on October 17, 2018;

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

1 **Section 1.** Pursuant to Section 102-19(g), the following schedule of fees to be charged by the
 2 Planning and Environmental Resources Department to persons filing text amendments, map
 3 amendments, land development permit applications, land development approval applications,
 4 and land development order applications however styled, and any land development order appeal
 5 however styled. The fees established shall generally be nonrefundable; provided, however, the
 6 Planning Director may approve a refund of up to 50 percent of the fee upon good cause shown
 7 by the applicant and the finding that the refund will not result in Department staff time costs or
 8 material costs already expended going unreimbursed.
 9

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
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)– 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

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2 Planning and Environmental Resources Department applications may be subject to the following
3 additional fees or requirements:
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- 5 1. For any application that requires a public hearing(s) and/or surrounding property owner
6 notification, advertising and/or notice fees; \$245.00 for newspaper advertisement and
7 \$3.00 per property owner notice.
8
- 9 2. Affordable Housing: There shall be no application or other fees, except advertising and
10 noticing fees, for affordable housing projects, except that all applicable fees shall be
11 charged for applications for all development approvals required for any development
12 under Sec. 139-2 of the Monroe County Code and for applications for variances to
13 setback, landscaping and/or off-street parking regulations associated with an affordable
14 housing development.
15
- 16 3. There shall be no application or other fees, except advertising and noticing fees, for
17 property owners who apply for a map amendment to the official LUD map and/or the
18 official FLUM, if the property owner can provide satisfactory evidence that a currently,
19 lawfully existing use on the site, also existed lawfully in 1992 and was deemed
20 nonconforming by final adoption of the LUD map *and/or* a currently, lawfully existing
21 use on the site, also existed lawfully on the site in 1997 and was deemed nonconforming
22 by final adoption of the FLUM. To qualify for the fee exemption, the applicant must
23 apply for a LUD and/or FLUM designation(s) that would eliminate the non-conforming
24 use created with adoption of the existing designation(s) and not create an adverse impact
25 to the community. Prior to submittal of a map amendment application, the applicant must
26 provide the evidence supporting the change and application for a fee exemption with the
27 proposed LUD map/FLUM designations to the Monroe County Planning &
28 Environmental Resources Department as part of an application for a Letter of
29 Understanding. Following a review, the Director of Planning & Environmental Resources
30 shall determine if the information and evidence is sufficient, and whether the proposed
31 LUD map and/or FLUM designations are acceptable for the fee waiver, and approve or
32 deny the fee exemption request. This fee waiver Letter of Understanding shall not
33 obligate the staff to recommend approval or denial of the proposed LUD or FLUM
34 Category.
35
- 36 4. Hearing fees: applicant shall pay half the cost of the hourly rate, travel and expenses of
37 any hearing officer. The County is currently charged \$142.00 per hour by Department of
38 Administrative Hearings (DOAH). If the fee charged to the County is increased, the
39 charge will change proportionately. An estimated amount of one-half of the hearing

1 officer costs as determined by the County Attorney shall be deposited by the applicant
2 along with the application fee, and shall be returned to the applicant if unused.
3

4 5. Base fees listed above include a minimum of (when applicable) two (2) internal staff
5 meetings with applicants; one (I) Development Review Committee meeting, one (1)
6 Planning Commission public hearing; and one (I) Board of County Commission public
7 hearing. If this minimum number of meetings/hearings is exceeded, the following fees
8 shall be charged and paid prior to the private development application proceeding
9 through public hearings:
10

- 11 a. Additional internal staff meeting with applicant\$500.00
- 12 b. Additional Development Review Committee public hearing\$600.00
- 13 c. Additional Planning Commission public hearing\$700.00
- 14 d. Additional Board of County Commissioners public hearing\$850.00
- 15

16 The Planning Director or designee shall assure these additional fees are paid prior to
17 hearing scheduling. These fees apply to all applications filed after September 15, 2010.
18

19 6. Applicants for Administrative Appeal, who prevail after all appeals have been decided or
20 where the appeal period(s) has expired, shall have the Administrative Appeal application
21 fee refunded. A full refund does not require approval by the Board of County
22 Commissioners; however, if the appellant only prevails on a portion of their appeal, the
23 Board of County Commissioners shall determine the amount of the refund.
24

25 7. Concerning the application fees to amend the tier maps, the lesser application fee of
26 \$1,970.00 is only available for applications to amend the tier designation of a single
27 URM or IS platted lot. It may not be used to amend the tier designation of more than one
28 lot.
29

30 8. Applicants for any processes listed above, and reviews and waivers pursuant to Article
31 III. Parking and Loading, that are required to provide transportation studies related to
32 their development impacts shall be required to deposit a fee of \$5,000 into an escrow
33 account to cover the cost of experts hired by the Planning and Environmental Resources
34 Department to review the transportation, parking and other related studies submitted by
35 the applicant as part of the development review process or any map or text amendment
36 submitted by a private applicant. Any unused funds deposited by the applicant will be
37 returned upon permit or amendment approval. Monroe County shall obtain an estimate
38 from the consultant they intend to hire to review the transportation, parking and other
39 related studies for accuracy and methodology and if the cost for the review on behalf of
40 Monroe County is higher than the \$5000, applicant shall remit the estimated amount. Any
41 unused funds deposited by the applicant will be returned upon permit approval.
42

43 9. Applicants for any processes listed above that may require a technical review or study by
44 a third-party shall bear the cost of such review. At the request of the Senior Director of
45 Planning and Environmental Resources, Applicants shall be required to deposit a fee of
46 \$5,000 into an escrow account to cover the cost of experts hired by the Planning and

1 Environmental Resources Department to review related studies and reports submitted by
2 the applicant, or conduct studies and reports required to be conducted by the County
3 pursuant to Florida Statutes or federal regulation, as part of the development review
4 process or any map or text amendment submitted by a private applicant. Any unused
5 funds deposited by the applicant will be returned upon permit or amendment approval.
6 Monroe County shall obtain an estimate from the consultant they intend to hire to review
7 and/or conduct the required studies for accuracy and methodology and if the cost for the
8 review on behalf of Monroe County is higher than the \$5000, applicant shall remit the
9 estimated amount. Any unused funds deposited by the applicant will be returned upon
10 permit approval.

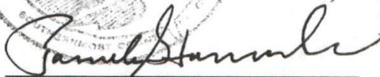
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13 **Section 2.** Any other fees schedules or provisions of the Monroe County Code inconsistent
14 herewith are hereby repealed.

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16 **Section 3.** The Clerk of the Board is hereby directed to forward one (1) certified copy of this
17 Resolution to the Planning and Environmental Resources Department.
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20 **PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County,
21 Florida, at a regular meeting of the Board held on the 17th day of October, 2018.
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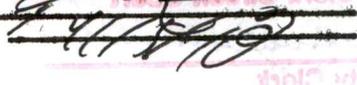
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24	Mayor David Rice, District 4	<u>Yes</u>
25	Mayor Pro Tem Sylvia J. Murphy, District 5	<u>Yes</u>
26	Danny L. Kolhage, District 1	<u>Yes</u>
27	George Neugent, District 2	<u>Yes</u>
28	Heather Carruthers, District 3	<u>Yes</u>

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31 Attest: KEVIN MADOK, CLERK

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34 Deputy Clerk

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By: 
Mayor David Rice

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM
Date: 

FILED FOR RECORD

2018 NOV -8 AM 9:49

CLERK CIR. CT.
MONROE COUNTY, FL

STATE OF FLORIDA
COUNTY OF MONROE
This copy is a True Copy of the
Original on File in this Office. WITNESS
My hand and Official Seal
And that same is in full force and effect



This 8th day of November

A.D., 20 18

KEVIN MADOK, CPA
Clerk Circuit Court

By: *Samuel Stinson*
Deputy Clerk