RESOLUTION 16-13

A RESOLUTION OF THE CITY OF ALACHUA, FLORIDA, AMENDING RESOLUTION 13-01, PROVIDING FOR REVISIONS TO THE ADOPTED SCHEDULE OF FEES FOR VOLUNTARY ANNEXATION APPLICATIONS; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the City has adopted a Comprehensive Plan and Land Development Regulations pursuant to the Community Planning Act, Chapter 163.3161 through 163.3248, Florida Statutes; and,

WHEREAS, it is the intent of the City that the City shall not be required to either bear the cost of processing and reviewing applications, petitions, or appeals under the Comprehensive Plan or Land Development Regulations; and,

WHEREAS, the Boundary Adjustment Act no longer governs annexation in Alachua County and the applications fee for annexation is revised to reflect charges which represent the cost of legal advertising, postage, review, and processing under Florida Statute 177.044.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ALACHUA, FLORIDA:

Section 1. SCHEDULE OF FEES

Until the following applicable fees or charges have been paid in full, no action of any type or kind shall be taken on a petition, application, or appeal:

Application Type	***Fee***
Comprehensive Plan Amendments	
Comprehensive Plan Amendment, Small Scale	$4,925
Comprehensive Plan Amendment, Large Scale	$6,250
LDR Text Amendment & Rezonings	
Site-Specific Amendment to the Official Zoning Atlas, less than or equal to 10 acres	$4,925
Site-Specific Amendment to the Official Zoning Atlas, greater than 10 acres	$6,250
Planned Development (PD) Amendments	$5,250
Land Development Regulations (LDR) Text Amendment	$4,925

Annexations	
Annexation, Voluntary	$1,000
Special Exception Permits	
Special Exception Permit, PZB Approval	$2,000
Special Exception Permit, City Commission Approval	$2,225
Variances	
Variance, Zoning	$1,500
Zoning, Subdivision	$1,725
Chapter 163 Development Agreements	$8,550
Subdivision & Development Plan Reviews	
Major Subdivision (fee includes review of Preliminary Plat, Construction Plans, & Final Plat)	$3,600
Minor Subdivision (fee includes review of Final Plat)	$1,925
Lot Split	$200
Site Plan	$2,300
Minor Site Plan	$800
Site Plan/Minor Site Plan Extension	$500
Minor Modifications to an Approved Site Plan	$800
Special Permit	$1,350
Compliance Determinations & Administrative Reviews	
Temporary Use Permit	$200
Special Event Permit	$100
Zoning Approval for Beverage License	$75
Certificate of Land Development Regulations (LDR) Compliance	$25
Interpretation of Land Development Regulations (LDR) Administrator	$200
Administrative Adjustment	$200
Certificates of Level of Service Standard/Concurrency Compliance	$50
Vested Rights Certificate	$1,200
Certificate of Appropriateness	$350
Development of Regional Impact (DRI) Reviews	
Application for Development Review (ADA)	$12,025
Substantial Deviation Determination	$2,125

Notice of Proposed Change and Other Amendments to Development Order	$6,525
Development of Regional Impact (DRI) Annual Report Review	$1,000
Public Facilities Annual Report Review	$1,000
Community Development District (CDD) Annual Budget Review	$2,000
Appeals to the Board of Adjustment (BOA)	
Decisions of Land Development Regulations (LDR) Administrator	$1,075
Appeals to the City Commission	
Decisions of Planning & Zoning Board (PZB)	$1,075
Decision of Land Development Regulations Administrator on Construction Plans *only*	$475

Section 2. PLANNING & COMMUNITY DEVELOPMENT FEE POLICIES

1. No application shall be accepted for processing until the required application fee, or reduced fee established pursuant to subsections 5, 6, 7 or 12, is paid in full by the applicant. An application fee may be refunded only if the application is withdrawn prior to the City incurring direct costs in processing the application (i.e., copying and distributing copies to staff and/or consultants, reviewing application materials, posting and/or mailing public notices, advertising, postage, printing reports, etc.)

2. The City, in its sole discretion, may engage the professional services of outside consultants in disciplines including, but not limited to traffic engineering, civil engineering, electrical engineering, landscape architects, planning consultants, and acoustical consultants, to review and comment on a petition, application, or appeal. The City shall invoice the applicant for all costs associated with expert reviews by outside consultants. All costs associated with outside review fees shall be paid in full prior to any legislative and/or quasi-judicial action of any type or kind on the petition, application, or appeal.

3. In the event that re-advertisement of an application is required due to any delay or postponement requested or agreed to by the applicant, or necessitated by some act or failure to act on the part of the applicant, a supplemental fee for mail-out costs and published advertisement costs will be charged to the applicant. This supplemental fee is intended to cover additional costs for re-mailing and re-advertising an application. This invoice shall be paid in

full prior to any legislative and/or quasi-judicial action of any type or kind on the petition, application, or appeal.

4. A separate fee shall be charged for each action requested unless the Land Development Regulations Administrator determines that the action requested is related to another requested action by the applicant and that the request will require no additional staff time.

5. Notwithstanding any other provision to the contrary, any filing fee required under the City's Planning and Community Development fee schedule may be waived for any applicant which is an agency of the government of the United States, an agency of the State of Florida, and an agency of Alachua County, if a written request is received by the City within five (5) working days of the submission of the application. However, the agency shall be required to incur all costs associated with the published and mailed notification.

6. The Land Development Regulations (LDR) Administrator may reduce a required application fee where it is found that: 1) special circumstances, not under the control of the applicant, justify a reduction in the fee; and, 2) the actual direct cost to the City for processing the application will not exceed the actual fee collected. In no case may a reduced fee be less than the costs incurred by the City associated with published and mailed notification. No request for reduction in the fee shall be considered unless the request is received in writing within five (5) business days following the date an application is submitted to the Planning and Community Development Department.

7. The Land Development Regulations (LDR) Administrator may waive all or a portion of the temporary use permit fee when the LDR Administrator determines that a personal hardship exists on the applicant. The burden of proof of such hardship must be adequately demonstrated by the applicant to the LDR Administrator.

8. Certificate of LDR Compliance fees are non-refundable. This includes, but is not limited to, instances where fees are collected for a determination review associated with an application for a Local Business Tax Receipt which is found to be inconsistent with the Land Development Regulations and thus denied.

9. Full size (24" X 36") Future Land Use Map and Official Zoning Atlas may be purchased for a fee of $35 per map.

10. Full size (24" X 36") copies of a plat and/or site plan may be purchased for a fee of $5 per page.

11. DEVELOPMENT OF REGIONAL IMPACT POLICIES:

a. Development of Regional Impact review deposits will be paid upon submittal of an Application for Development Approval (ADA).
b. A Substantial Deviation and other Amendments, including a Notice of Proposed Change to an existing Development Order, will require a review deposit to be paid upon notification that a Substantial Deviation exists or when an amendment to the Development Order is required or upon submittal of the Notice of Proposed Change.
c. All work performed by City of Alachua employees, directly and reasonably attributable to the review of and recommendations relating to a Development of Regional Impact application, or an Amendment to a Development Order, shall be paid by the applicant. Fees will be based upon the hourly rate of pay and benefits of each employee performing the work multiplied by the number of hours worked, plus 20% indirect costs based on the hourly rate of the employee. Any other direct costs incurred by the City in connection with the review and processing of a DRI application, including but not limited to advertising, public notice, duplication of materials, telecommunications, and fees for any outside consultants hired by the Planning and Community Development Department, City Manager, or City Commission, shall be paid by the applicant.
d. The applicant will be required to pay an additional deposit, as may be required from time to time, when review expenses have exhausted 75% of any paid deposit. Whenever an additional deposit of fees is required, such deposit shall be, at a minimum, in the amount of 50% of the initial payment set forth herein. Any auditor fees for establishment and maintenance of this account shall be charged to the applicant.
e. Upon conclusion of any staff review of any application and other actions required for presentation to the City Commission for final action, all fees calculated by the City of Alachua to be due shall be paid in full by the applicant prior to submission to the City Commission for final action, on any petition, application, or appeal. Any excess deposit money, after all charges are paid, shall be refunded after final action by the City Commission.

12. COMMUNITY REDEVELOPMENT AREA POLICIES:

a. There is a 25% reduction in Planning and Community Development fees, except for cost of outside review and advertising as provided in policies 2 and 3, for developments occurring within the Community Redevelopment Area.

Section 3. SEVERABILITY

It is the declared intent of the City Commission of the City of Alachua that, if any section, sentence, clause, phrase, or provision of this resolution is for any reason held or declared to be unconstitutional, void, or inoperative by a court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this resolution, and the remainder of this resolution after the exclusion of such part or parts shall be deemed to be valid.

Section 4. REPEALING CLAUSE

All resolutions or parts of resolutions in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 5. EFFECTIVE DATE

This Resolution shall be effective as of the date of its passage and adoption.

DULY ADOPTED in regular session this 23rd day of May, 2016.

CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA

Gib Coerper, Mayor

ATTEST:

Traci L. Gresham, City Manager/Clerk