

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20031075**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Adopt a resolution to amend zoning and development review fees.

**WHY ACTION IS NECESSARY:** Board action is required to establish or amend fees for Community Development (AC 3-10, External Fees and Charges Manual).

**WHAT ACTION ACCOMPLISHES:** Allows County to recover part of the cost of review and processing applications.

**2. DEPARTMENTAL CATEGORY:**  
COMMISSION DISTRICT # CW

*A4A*

**3. MEETING DATE:**

*09-30-2003*

**4. AGENDA:**

**5. REQUIREMENT/PURPOSE:**  
(Specify)

CONSENT \_\_\_\_\_  
 ADMINISTRATIVE \_\_\_\_\_  
 APPEALS \_\_\_\_\_  
 PUBLIC \_\_\_\_\_  
 WALK ON \_\_\_\_\_  
 TIME REQUIRED: \_\_\_\_\_

STATUTE \_\_\_\_\_  
 ORDINANCE \_\_\_\_\_  
 ADMIN. CODE \_\_\_\_\_  
 OTHER AC 3-10

**6. REQUESTOR OF INFORMATION:**

A. COMMISSIONER \_\_\_\_\_  
 B. DEPARTMENT Community Development  
 C. DIVISION Administration  
 BY: *Mary Gibbs*

**7. BACKGROUND:**

In order to offset costs for new positions in zoning and development review, fees should be adjusted. The Zoning Task Force recommended additional staffing to provide an adequate level of services. Increased fees will offset costs for the 14 new positions in the FY2003-2004 budget. The costs for new positions total \$ 758,000 and the new fees (see attached detail sheet) are estimated to generate revenue of \$494,000 annually.

Additionally, a few minor fee revisions and clarifications are proposed for copies and maps.

**8. MANAGEMENT RECOMMENDATIONS:**

Adopt fee schedule

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services			G County Manager
<i>M. Gibbs</i>	N/A	N/A	N/A	<i>[Signature]</i> 9/12/03	<i>[Signature]</i> 9/17/03	<i>[Signature]</i> 9/18/03	<i>[Signature]</i> 9/18/03	<i>[Signature]</i> 9/17/03

**10. COMMISSION ACTION:**

APPROVED \_\_\_\_\_  
 DENIED \_\_\_\_\_  
 DEFERRED \_\_\_\_\_  
 OTHER \_\_\_\_\_

Rec. by CoAtty  
 Date: *9/17/03*  
 Time: *2:35 pm*  
 Forwarded To:  
*Co. Atty*  
*9/17/03*

*4:00 pm*

RECEIVED BY  
 COUNTY ADMIN: *TD*  
*9/17*  
*2:55 pm*  
 COUNTY ADMIN  
 FORWARDED TO:

**PROPOSED FEES**

*CATEGORY*

*CURRENT FEE*

*PROPOSED FEE*

**Zoning**

DCI Minor Planned Development	\$4,000	\$ 5,000
DCI Planned Development Base Fee	\$7,000 + \$20/acre	\$ 8,000 + \$40/acre
Planned Development Amendments	\$ 4,000	\$ 5,000
Planned Development Administrative Amendment & Changes	\$ 1,000	\$ 1,500
Planned Development Final Plan Approval	\$ 500	\$ 1,000
Industrial Planned Development/Excavation	\$ 6,000 + \$12 acre	\$ 8,000 + \$12/acre
Planned Development Extension - Master Concept Plan	\$ 1,500	\$ 1,800
Planned Development Reinstatement	n/a	\$ 2,500
Zoning Verification Letter	\$ 125	\$ 200

**Development Review**

Development Order Base Fee	\$ 2,500 + \$50/acre	\$ 3,000 + \$60/acre
Development Order Limited Review Type 8 (Excavation/Mining)	\$ 1,100 + \$ 0/acre	\$ 2,500 + \$50/acre
Development Order Limited Review Operations Renewals (Excavation/Mining)	\$ 350	\$ 2,500
Plat Review Base Fee	\$ 650 + \$10/lot	\$ 775 + \$12/lot

**Miscellaneous**

<b>COPIES</b>		
11 x 17 one sided	n/a	\$ .30
Color (8½ x11) one-sided	n/a	\$1.00
Color (8½ x14) one-sided	n/a	\$1.50
Color (11 x 17) one-sided	n/a	\$2.00
<b>ZONING RESOLUTIONS &amp; HEX ON CD ROM</b>	\$100.00	Delete
Updates	\$ 50.00	Delete
<b>MAPS (Color or Black &amp; White)</b>		
8½ x11	n/a	\$3.00
8½ x14	n/a	\$4.00
11 x 17	n/a	\$5.00
Larger than 11 x 17	n/a	\$15.00
Customized (includes one map, additional copies at prices above)	n/a	\$25.00
Electronic Maps (various)	n/a	same as charged by Property Appraiser

**A RESOLUTION OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS RELATING TO AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE AS ADOPTED BY LEE COUNTY ORDINANCE NO. 97-23; PROVIDING FOR APPROVAL OF CERTAIN AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners is the governing body in and for Lee County, a political subdivision of the State of Florida; and,

**WHEREAS**, the Board of County Commissioners has previously enacted Lee County Ordinance No. 96-01, creating a charter form of government for Lee County pursuant to Section 125.80 and ff., Florida Statutes, and which was approved and ratified by the Electorate of Lee County on November 5, 1996; and,

**WHEREAS**, the Board of County Commissioners has previously enacted Lee County Ordinance No. 97-23, which adopted the Lee County Administrative Code pursuant to Section 2.2.E. of Ordinance No. 96-01, the Lee County Charter; and,

**WHEREAS**, Lee County Ordinance No. 97-23 at Section III allows and provides for amendments to the Lee County Administrative Code to be made by Resolution of the Board of County Commissioners at a regularly scheduled Board of County Commissioners' meeting; and,

**WHEREAS**, certain amendments to the Lee County Administrative Code are now being proposed, and the Board of County Commissioners finds that such proposed amendments are acceptable, serve a public purpose and are consistent with the terms

and conditions of Lee County Ordinance No. 96-01, the Lee County Charter.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY**

**COMMISSIONERS THAT:**

1. The above preamble is hereby accepted and approved as being true and accurate, and is adopted and incorporated herein as if set out further at length.
2. The proposed amendment(s) to the Lee County Administrative Code 3-10 (attached hereto as Exhibit A), is (are) approved, and are hereby directed to be incorporated into the Lee County Administrative Code as indicated in the amendment(s).
3. The provisions of this Resolution are severable, and it is the intention to confer to the whole or any part of this Resolution, the powers herein provided for. If any of the provisions of this Resolution shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the other remaining provisions of this Resolution. It is hereby declared to be the Board's legislative intent that this Resolution would have been adopted had such an unconstitutional provision not been included herein.
4. This Resolution shall become effective immediately upon its adoption by the Board of County Commissioners.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and,

being put to a vote, the vote was as follows:

ROBERT P. JANES	_____
DOUGLAS ST. CERNY	_____
RAY JUDAH	_____
ANDREW W. COY	_____
JOHN E. ALBION	_____

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**ATTEST:**  
**CHARLIE GREEN, CLERK**

**BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Office of the County Attorney

**DEPARTMENT:** Community Development

**EXTERNAL FEE NUMBER:** EX 2-1\*

**DIVISION:** Development Services

**PURPOSE:** Zoning Fees

**BASIS FOR FEE:** Charge for service rendered; Reso 03-05-27

**DATE APPROVED:** 09-19-91, Effective 10-01-91, 10-01-92, 01-27-93, 12-22-93, 02-01-95, Effective 03-01-95, 03-06-96, 09-05-2000, 04-23-02, 05-13-03; 9-30-03

NOTE: \*May Not Be Changed Without BOCC Approval

**ZONING FEES**

Rezoning-(not DCI/PD)	\$2,500.00
Bonus Density Application	\$2,100.00
Special Exception (Not otherwise listed)	\$1,000.00
Administrative COP	\$ 650.00
Administrative Action Tower	\$1,000.00
Special Exception Excavation	\$2,600.00
Plus Per Acre	\$ 20.00
Special Exception Tower/Forestry	\$1,500.00
Variance-Residential/Commercial	\$ 700.00
Each Added Request	\$ 150.00
Variance-Sign	\$1,100.00
Variance-Wetlands/Dock	\$ 700.00
Zoning-Letter of Verification	<del>\$ 125.00</del> <u>\$ 200.00</u>
Remodeling/Change of Use	\$ 75.00
Home Occupations	\$ 20.00
Minimum Use Determination (Single Family Determination)	\$ 135.00
Research-Per Hour	\$ 25.00
DRI/FQD (All DRI Fees in Addition to Rezoning Fee)	\$9,100.00
Plus Per Acre	\$ 12.00
DRI/Substantial Deviation	\$6,000.00

**EX 2-1 Continued**

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**ZONING FEES (continued)**

Plus Per Acre		\$ 10.00
DRI/Notice of Proposed Change (Non-Substantial Deviation)		\$4,000.00
DRI Changes pursuant to LDC 34-145(d)(1)c		\$ 600.00
DRI Abandonment		\$1,500.00
DRI/AMDA		\$7,800.00
Plus Per Acre		\$ 15.00
DRI/AMDA Increments		\$6,500.00
Plus Per Acre		\$ 15.00
DRI/Area Master Plan		\$6,500.00
Plus Per Acre		\$ 15.00
DRI/PUD Ordinance Review		\$2,600.00
DCI/PD	<del>\$7,000.00</del>	<u>\$8,000.00</u>
Plus Per Acre	<del>\$ 20.00</del>	<u>\$ 40.00</u>
Each Added District		\$1,500.00
DCI Minor PD	<del>\$4,000.00</del>	<u>\$5,000.00</u>
Each Added District		\$ 800.00
IPD Excavation	<del>\$6,000.00</del>	<u>\$8,000.00</u>
Plus Per Acre		\$ 12.00
PD Amendments	<del>\$4,000.00</del>	<u>\$5,000.00</u>
PD Administrative Amendments and Changes	<del>\$1,000.00</del>	<u>\$1,500.00</u>
<u>PD Final Plan Approval</u>	<del>\$ 500.00</del>	<u>\$1,000.00</u>
PD Extension-MCPS (Bluesheet to BOCC)	<del>\$1,500.00</del>	<u>\$1,800.00</u>
<u>PD Reinstatement</u>		<u>\$2,500.00</u>
PD Administrative Minor Amendments & Changes		\$1,000.00
Historic District Administrative Relief		\$ 500.00
Appeal to Hearing Examiner*		\$ 135.00

**EX 2-1 Continued**

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**ZONING FEES (continued)**

Special Exception-Accessory Apartment	\$ 500.00
Administrative Approval for Commercial Lot Split	\$ 850.00
Administrative, Special Ordinance, Other Approvals	\$ 500.00

**BOCC Rehearing**

Rehearing Request	\$ 265.00
New Hearing	\$ 350.00
Appeal to Hearing Examiner*	\$ 700.00
Continuance	\$ 160.00
Deferrals-Before Advertising	N/C
After Advertising	\$ 160.00

**\* FEE WILL BE REFUNDED IF SUCCESSFULLY APPEALED BY APPLICANT**

**COPIES (per copy)**

Letter (8 ½ x 11):

One sided	\$ .15
<u>One sided (color)</u>	<u>\$ 1.00</u>
Two sided	\$ .20

Legal (8 ½ x 14):

One sided	\$ .20
<u>One sided (color)</u>	<u>\$ 1.50</u>
Two sided	\$ .25

Large (11 x 17):

<u>One sided</u>	<u>\$ .30</u>
<u>One sided (color)</u>	<u>\$ 2.00</u>

Large (11 x 17) (per page from microfilm) \$ 2.00

Plans (24 x 36) (per page) \$ 5.00

Zoning Resolutions and Hearing Examiner Decisions on CD-ROM \$ 100.00

CD-ROM Updates \$ 50.00



**DEPARTMENT:** Community Development

**EXTERNAL FEE NUMBER:** EX 2-2\*

**DIVISION:** Development Services

**PURPOSE:** Development Review Fees

**DATE APPROVED:** 11-09-94; 02-01-95 (effective 03-01-95); 09-30-03

**NOTE:** \*May Not Be Changed Without BOCC Approval

**DEVELOPMENT REVIEW FEES**

D.O. Base Fee (First Resubmit Free)	<del>\$2,500.00</del>	<u>\$3,000.00</u>
Plus Per Acre	<del>\$ 50.00</del>	<u>\$ 60.00</u>
D.O. Resubmit		\$ 435.00
D.O. Amendment		\$ 775.00
D.O. Amendment Resubmit		\$ 350.00
D.O. Minor Change		\$ 100.00
D.O. Applicant Request for Deferral ("HOLD") Action		\$ 40.00
D.O. Extension (Must Be Received Prior to EXPIRATION Date)		\$ 350.00
D.O. Concurrency Extension/Renewal		\$ 40.00
D.O. Reinspection Fee (First Inspection Free)		\$ 50.00
D.O. Limited Review Types 3, 6, 7, 9, & 10		\$ 250.00
D.O. Limited Review Types 1, 2, 4, & 5		\$ 350.00
<del>D.O. Limited Review Types 8 (Excavation/Mining), 11 &amp; 12</del>		<del>\$1,100.00</del>
<u>D.O. Limited Review Types 11 &amp; 12</u>		<u>\$1,100.00</u>
<u>D.O. Limited Review Types 8 (Excavation/Mining)</u>		<u>\$2,500.00</u>
<u>Plus Per Acre</u>		<u>\$ 50.00</u>
D.O. Limited Review (or Exemption) Amendment		\$ 50.00
D.O. Limited Review Operations Renewals (Excavation/Mining)	<del>\$ 350.00</del>	<u>\$2,500.00</u>
D.O. Limited Review Agricultural Use Excavation		\$ 180.00
D.O. Limited Review Resubmit		\$ 100.00
Letter of Transmittal		\$ 50.00
Administrative Deviations		\$ 400.00
Each Added Request		\$ 75.00

**EX 2-2 Continued**

**DEVELOPMENT REVIEW FEES (continued)**

Appeal to Hearing Examiner*	\$ 700.00
Variance	\$ 700.00
Each Added Request	\$ 150.00
F. O. O. 15 Amendment	\$ 210.00
F. O. O. 15 Appeal to Hearing Examiner	\$ 210.00
Plat Review Base Fee (Resubmit Free)	<del>\$ 650.00</del> \$ 775.00
Plus Lot/Tract Fee (Each Lot or Tract)	<del>\$ 10.00</del> \$ 12.00
Vacation of ROW, Vacation of Plat w/ROW	\$ 900.00
Vacation of Plat or Drainage Easement	\$ 600.00
Vacation of Utility Easement	\$ 300.00
Concurrency Renewals	\$ 40.00
Application for Road Maintenance	\$ 645.00
Extra Plans to Be Stamped	\$ 50.00

**\* FEE WILL BE REFUNDED IF SUCCESSFULLY APPEALED BY APPLICANT.**

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~~CD ROM Updates \$ 50.00~~

**DEPARTMENT:** Community Development

**EXTERNAL FEE NUMBER:** EX 2-3\*

**DIVISION:** Development Services

**PURPOSE:** Building Permit Fees

**BASIS FOR FEE:** Board approved on 02-01-95 (Blue Sheet #950061) with endorsement of BIA and EROC

**DATE APPROVED:** 10-23-85; 03-18-87; 09-07-88; 02-01-95 (effective 03-01-95); 09-30-03

**NOTE:** \*May Not Be Changed Without BOCC Approval

**BUILDING PERMIT FEES**

**ACCESSORY BUILDINGS (COMMERCIAL)**

Canopy (including window awnings)	\$ 50.00 each
Carport	\$ 35.00 each
Gazebo (unenclosed)	\$ 40.00 each

**ACCESSORY BUILDINGS (SFR AND DUPLEX)**

Carport	\$ 35.00 each
Garage (freestanding)	\$ 65.00 each
Gazebo (unenclosed structure)	\$ 40.00 each
Greenhouse	\$ 35.00 each
Shed (conventional construction)	\$ 50.00 each

**ALUMINUM STRUCTURES**

Carport or canopy	\$ 35.00 each
Carport with utility room	\$ 50.00 each
Glass room/vinyl room/utility room	\$ 50.00 each
Pool enclosure	\$ 45.00 each
Roofover/Insulated pan roof	\$ 35.00 each
Screen room	\$ 50.00 each
Shed	\$ 35.00 each

**EX 2-3 Continued**

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**BUILDING PERMIT FEES (continued)**

**COPIES (per copy)**

Letter (8 ½ x 11):

One sided \$ .15

One sided (color) \$ 1.00

Two sided \$ .20

Legal (8 ½ x 14):

One sided \$ .20

One sided (color) \$ 1.50

Two sided \$ .25

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One sided (color) \$ 2.00

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Plans (24 x 36) (per page) \$ 5.00

~~Zoning Resolutions and Hearing Examiner Decisions on CD ROM \$ 100.00~~

~~CD ROM Updates \$ 50.00~~

**REFUND**

No refund on permits of \$50.00 or less unless issued in error by the County

No refund on any permit shall be granted if work has commenced or if permit has expired

Refund on all other permits shall be at 75% of the permit fee

There shall be no refund on any plan review fee

**GENERAL NOTE:**

Fees calculated per square foot shall be assessed using the gross floor area. The County Building Official shall determine questions on interpretation of the method of measurement and inclusion of areas or items.

**DEPARTMENT:** Community Development

**EXTERNAL FEE NUMBER:** EX 3-1\*

**DIVISION:** Planning

**PURPOSE:** Planning Fees

**BASIS FOR FEE:** Charge for service rendered

**DATE APPROVED:** 10-12-88 (Effective 11-01-88); 09-25-01; 09-30-03

NOTE: \*May Not Be Changed Without BOCC Approval

**PLANNING FEES**

1. **COMPREHENSIVE PLAN AMENDMENTS:**

- |   |  |
|---|--|
| a. Map Amendment  | \$2,000.00 flat fee plus \$20.00/ten acres for all areas over 20 acres |
| b. Text Amendment   | \$2,500.00 flat fee  |
| c. Small Scale Amendment Processing, Advertising & Review | \$1,500.00   |

2. **PLANNING DETERMINATION APPEALS:**

- |               |          |
|---------------|----------|
| a. Basic Rate | \$ 75.00 |
|---------------|----------|

3. **LEE PLAN DOCUMENTS**

- |  |          |
|--|----------|
| a. Codification  | \$ 25.00 |
| b. Future Land Use Map<br>(available at Property Appraiser's Mapping Department) |          |
| c. EAR Support Documentation<br>(2 volumes)                                      | \$ 25.00 |

4. **DEMOGRAPHIC REPORTS**

- |             |          |
|-------------|----------|
| Census Data | \$ 25.00 |
|-------------|----------|

5. **MAPS (Color or Black & White)**

- |  |  |
|--|--|
| a. <u>8-1/2 x 11</u>   | <u>\$ 3.00</u>                               |
| b. <u>8-1/2 x 14</u>   | <u>\$ 4.00</u>                               |
| c. <u>11 x 17</u>  | <u>\$ 5.00</u>                               |
| d. <u>Larger than 11 x 17</u>  | <u>\$ 15.00</u>                              |
| e. <u>Customized (includes one map, additional copies at prices above)</u> | <u>\$ 25.00</u>                              |
| f. <u>Electronic Maps (various)</u>  | <u>same as charged by Property Appraiser</u> |