

**AMENDMENT TO APPENDIX A - COMPREHENSIVE FEE ADJUSTMENTS
LAND DEVELOPMENT AND PERMITTING FEES**

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING APPENDIX A, "FEE SCHEDULE," TO AMEND PLANNING REVIEW FEES ASSOCIATED WITH LAND USE BOARD APPLICATIONS, BY AMENDING THE PER-SQUARE-FOOT FEES AND APPLICABILITY THEREOF, ESTABLISHING AN ADDITIONAL FEE FOR CONDITIONAL USE PERMITS FOR NEIGHBORHOOD IMPACT ESTABLISHMENT USES, ELIMINATING THE "EXCESSIVE REVIEW FEE," AND ESTABLISHING A RESUBMITTAL FEE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (the "City") has the authority to enact laws which promote the public health, safety and general welfare of its citizens; and

WHEREAS, the City Code establishes fees for development review, permitting, and other services to cover the City's costs of implementing the regulations contained therein; and

WHEREAS, recently, the City Administration has reviewed the structure of fees associated with Planning Board, Board of Adjustment, Historic Preservation Board, and Design Review Board applications; and

WHEREAS, in order to better align the amount of permit fees charged with the actual costs incurred by the City Administration in its review of land development board applications, the Administration recommends the adoption of this Ordinance; and

WHEREAS, the amendments set forth below are necessary to accomplish the above objectives.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS:

SECTION 1.

Appendix A to the City Code, entitled "Fee Schedule," is hereby amended as set forth in "Exhibit A" to this Ordinance.

SECTION 2. REPEALER

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 3. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 4. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and **ADOPTED** this _____ day of _____, 2019.

ATTEST:

Rafael E. Granado
City Clerk

Dan Gelber
Mayor

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

Dan Gelber 4-3-19

City Attorney

Date

First Reading: April 10, 2019
Second Reading: May 8, 2019

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Underscore denotes new language
~~Strikethrough~~ denotes deleted language

(Sponsored by Commissioner John Elizabeth Aleman)

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EXHIBIT "A"

APPENDIX A – FEE SCHEDULE		
* * *		
	Subpart B. Land Development Regulations	
	Chapter 118. Administration and Review Procedures	
118-6	Cost recovery	
	Review and Report by outside source	TBD
118-7	Fees for the administration of land development regulations	
	General Fees for Public Hearing	
	Application for preliminary evaluation for public hearing	500.00
	Application for public hearing. See Sec. 118-7 for applicable waivers	2,500.00
	Fees for design review board or historic preservation board - For nonprofits proposing art in public places and/or non-commercial artistic murals, graphics and images	Fee may be reduced by a 4/7 th affirmative vote of the city commission via resolution*
	* The nonprofit corporation must be in operation for a minimum of one year, must maintain its tax-exempt status in good standing with the Internal Revenue Service (IRS) and must provide access of its financial statements to the city, in order to assist the city commission in determining the economic viability and/or necessity for the waiver of fees.	
	<u>Additional fee for Application for public hearing which includes a Neighborhood Impact Establishment</u>	<u>2,500.00</u>
	Application for clarification of previously approved board order	1,500.00
	Application for amendment to an approved board order	2,500.00

	Application for extensions of time of a previously approved board (non-administrative)	1,500.00
	Application for after the fact approval	3 times original fee
	Advertisement (Additional fees may apply based on notice requirement for LDR. Comp. Plan and corresponding map amendments)	1,500.00
	Mail Notice (per address)	4.00
	Posting (per site)	100.00
	Withdrawal or continuance prior to public hearing	500.00
	Deferral of a public hearing	1,500.00
118-162(a), (b)	Amendment of the Land Development Regulations, Zoning Map, Comprehensive Plan, and Future Land Use Map	
	Amendment to the permitted, conditional or prohibited uses in a zoning category (per use)	2,500.00
	Amendment to the permitted, conditional or prohibited uses in the comprehensive plan	2,500.00
	Amendment to the zoning map designation (per square foot of lot area) up to 5,000 sq. ft.	0.50
	Amendment to the zoning map designation (per square foot of lot area) 5,001 sq. ft. and greater	0.70
	Amendment of future land use map of the comprehensive plan (per square foot of lot area) up to 5,000 sq. ft.	0.50
	Amendment of future land use map of the comprehensive plan (per square foot of lot area) 5,001 sq. ft. and greater	0.70
	Amendment to the land development regulations (per section being amended)	10,000.00

	Amendment to the comprehensive plan (per goal, policy, or objective being amended)	10,000.00
118-193	Conditional Use Permit	
	Application for conditional use permit for an assisted living facility (per bed)	100.00
118-253	Design Review	
	Application for Design Review Board approval (per gross square foot of new construction)	.50 <u>.30</u> Up to a maximum of \$40,000
118-321	Land/Lot Split	
	See application fees under General Fees	
118-353	Variances	
	Per variance requested—See section 118-7 for applicable waivers	500.00
118-562, 118-564	Certificate of Appropriateness	
	Application for COA (per gross square foot of new construction)	.50 <u>.30</u> Up to a maximum of \$40,000
118-	Historic Designation	

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	Application for district designation (per platted lot)	100.00
	Planning Director determination of architectural significance (142-108)	2,500.00
	Staff Review and Miscellaneous Fees	
	Preliminary zoning review (Dry Run) up to 5,000 sq. ft.	2,500.00
	Preliminary zoning review (Dry Run) per square foot fee beyond 5,000 sq. ft.	0.50 <u>.30</u> Up to a maximum of \$40,000
	Board Order Recording up to 10 pages (11+ pages will be assessed a per page fee)	100.00
	Status Reports	1,000.00
	Progress Reports	2,500.00
	Failure to appear before a board for Status or Progress Report	2,500.00
	Zoning Verification letter (per address or folio - includes 1 hour of research)	250.00
	Zoning Interpretation Letter	1,000.00
	Research per hour fee (beyond four hours per submittal)	150.00
	Excessive Review per hour fee (beyond four hours per submittal) <u>Resubmittal Fee (after second submittal)</u>	150.00 <u>1,250.00 per submittal</u>
	Review of Covenants or Easement	5,000.00
	Modification or release of Covenants or Easement	2,500.00
	Courier (per package)	10.00

	Recording fee (up to 10 pages)	100.00
	Per page recording fee (beyond 10 pages)	10.00
	Paint permit (non-online applications)	75.00
	Signs (not requiring a building permit)	75.00
	Hard copy (paper) submittal conversion of documents to electronic format shall be charged at city's cost from vendor	TBD

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