

RESOLUTION No. 39-07-18

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING THE SCHEDULE OF FEES FOR DEVELOPMENT REVIEW APPLICATIONS; PROVIDING FOR THE INCREASE AND MODIFICATION OF CERTAIN FEE CATEGORIES; PROVIDING FOR THE CREATION OF A UNITY OF TITLE FEE; PROVIDING FOR THE CREATION OF A DEVELOPMENT PRE-APPLICATION MEETING FEE; PROVIDING FOR THE CREATION OF A ZONING INSPECTION FEE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park (“Town”) is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, Town Code Section 51-6 authorizes the Town Commission to establish and amend the schedule of fees that the Town charges; and

WHEREAS, the Town Commission previously adopted Resolution No. 02-01-16, Resolution 36-10-11, Resolution 30-08-10, Resolution No. 20-05-09, and Resolution 53-08-07 which served to create and amend development review application fees; and

WHEREAS, the Town has not increased its fees since 2007; and

WHEREAS, the amounts charged by the Town do not adequately reflect the administrative time and costs incurred by the Town’s Community Development Department to process and monitor the implementation of development applications included in the schedule of fees; and

WHEREAS, the Town’s Community Development Director, after having reviewed the fee schedules of other municipalities recommends that certain fees be increased and some of the application categories be retitled for clarity; and

WHEREAS, the Community Development Director recommends that new fee categories, entitled, “Unity of Title”, “Development Pre-Application Meeting”, and “Zoning Inspection” are established.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AS FOLLOWS:

Section 1. The whereas clauses are hereby incorporated herein.

Section 2. The Town Commission hereby adopts the amended Schedule of Fees as contained in **Exhibit "A"** which is attached hereto and incorporated herein.

Section 3. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of the conflict.

Section 4. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Vice-Mayor Glas-Castro who moved its adoption. The motion was seconded by Commissioner Michaud and upon being put to a roll call vote, the vote was as follows:

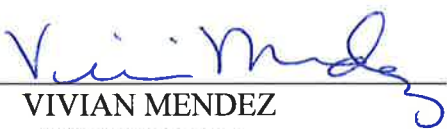
	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	—
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	—
COMMISSIONER ERIN FLAHERTY	<u>/</u>	—
COMMISSIONER ANNE LYNCH	<u>/</u>	—
COMMISSIONER ROGER MICHAUD	<u>/</u>	—

The Town Commission thereupon declared the foregoing Resolution NO. 39-07-18 duly passed and adopted this 18 day of July, 2018.

TOWN OF LAKE PARK, FLORIDA

BY: 
MICHAEL O'ROURKE
MAYOR

ATTEST:


VIVIAN MENDEZ
TOWN CLERK
TOWN OF LAKE PARK
(TOWN SEAL)
FLORIDA

Approved as to form and legal sufficiency:

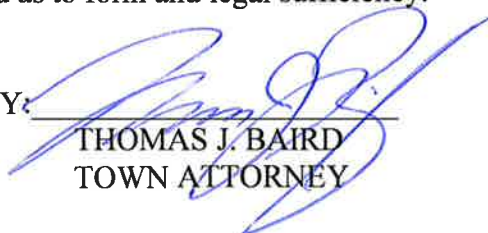
BY: 
THOMAS J. BAIRD
TOWN ATTORNEY

EXHIBIT "A"

DEVELOPMENT REVIEW PERMIT-FEE SCHEDULE		
No.	TYPE OF FEE	FEE
1	Abandonment of rights of way	\$1500.00 <u>1,800</u>
2	Abandonment of easements	\$1500.00
3	Appeal of Administrative Decisions	\$600.00 <u>1,000</u>
4	Comprehensive Plan text amendment	\$1250.00 <u>2,500</u>
5	Comprehensive future land use map change, small and large	\$1250.00 <u>3,000</u>
6	Development of Regional Impact	\$3000.00 <u>5,000</u>
	a. Annual report review	\$500.00
7	Development Approval extension	\$1000.00 <u>1,500</u>
8	Development Pre-Application Meeting	\$200
89	Developer Agreements	\$1500.00
910	Planned Unit Development	
	a. Master Plan approval	\$1750.00 <u>2,000</u>
	b. Modification of an approved Master Plan	\$750.00 <u>1,000</u>
	<u>c. Per waiver request</u>	<u>\$250</u>
1011	Site plan, nonresidential or residential multi-family 6 units or greater	
	a. 0-14999 square feet (<u>structure size</u>)	\$1000.00 <u>2,000</u>
	b. Greater than 14999 square feet (<u>structure size</u>)	\$1500.00 <u>4,000</u>
	<u>c. Per waiver request (if applicable)</u>	<u>\$250</u>
1112	Site Plan, residential within Mixed-Use projects (in addition to nonresidential fees)	
	a. Base fee	\$750.00 <u>1,500</u>
	b. Additional fee, after the initial 10 units greater of 10.00-per dwelling unit or lot	\$10.00 per unit
1213	Special Exception, nonresidential and residential (one use per application)	
	a. 0-14999 square feet (<u>structure size</u>)	\$750.00 <u>1,500</u>
	b. Greater than 14999 square feet (<u>structure size</u>)	\$1250.00 <u>3,000</u>
13	Special Exception, residential	

	— a. 0-14999 square feet	\$750.00
	— b. Greater than 14999 square feet	\$1250.00
14	Variance, nonresidential	\$750.00 <u>1,000</u>
15	Variance, residential principal structure	\$550.00 <u>750</u>
16	Vegetation removal and land clearing permit	\$500.00
17 <u>16</u>	Zoning code text amendment	\$1250.00 <u>2,500</u>
18 <u>17</u>	Zoning map amendment	\$1250.00 <u>2,500</u>
19 <u>18</u>	Zoning determination letter	\$85.00 <u>125</u>
20 <u>19</u>	Zoning Confirmation Certificate	\$85.00 <u>125</u>
20 <u>20</u>	<u>Zoning Inspection (inspection of the premises)</u>	\$50
21	Home Occupation Zoning Confirmation Certificate	\$85.00 <u>125</u>
22	Special Event Permit (non-profit <u>or individual not affiliated with for-profit entity</u>)	\$25.00 <u>50</u>
23	Special Event Permit (commercial/ <u>for-profit</u> entity)	\$75.00 <u>100</u>
24	Minor Replat/ <u>Plat</u>	\$500.00
25 <u>25</u>	Tree Removal	\$50
26 <u>25</u>	Telecommunications Tower Pre-application permit	\$250
27 <u>26</u>	Telecommunications Tower/Co-Location Application	\$1500
28 <u>27</u>	Certificate of Appropriateness; <u>Designation/De-designation; or Ad Valorem Tax Exemption for historic property</u> (Historic Preservation)	\$100 <u>200</u>
29 <u>28</u>	Site Plan or Development Approval Amendment	\$250 <u>500</u>
30 <u>29</u>	Abatement <u>Fine Reduciton or Waiver</u> Request Application — Code <u>Compliance</u>	\$50 <u>100</u>
31 <u>30</u>	Time Extension Application — Code <u>Compliance</u>	\$50 <u>100</u>
32 <u>31</u>	Out of Town/ <u>Mobile Vendor</u> Business Registration Application	\$25 <u>50</u>
33 <u>33</u>	Name Change Administrative Fee	\$25
34 <u>34</u>	PADD Waiver	\$750
35 <u>32</u>	Annual <u>Out of Town</u> /Mobile Vendor fee	\$250
36 <u>36</u>	Mobile Vendor fee per event	\$25
37 <u>37</u>	Marina Event Fee — per event	\$500
38 <u>33</u>	Annual Bank Registration Fee	\$150
34 <u>34</u>	<u>Unity of Title</u>	\$500

39	Resident Only Decal Fee (valid in all metered areas except Lake Shore Park Lots and Marina Lots)	\$45
40	Resident and Non-Resident Decal Fee (valid in all metered areas)	\$100

~~Recovery of additional costs. In addition to the development review fees established hereinabove, aforesaid fees, the Town may, in addition to the applicable application fee, recover the administrative costs it incurs in reviewing development applications, as referenced below, including, but not limited to, the following:~~

- 1) ~~Professional Consultant~~ fees incurred by the Town, whenever the Town deems it necessary to utilize the services of consultants it has retained as part of a continuing services contract, or should it be necessary to retain ~~an outside~~ consultant who provides services not provided for in the Town's continuing professional services contracts, ~~or additional services,~~ to assist Town staff in the review and processing of applications. ~~Examples of the professional services the Town may require in its review of development applications include, but may not be limited to: for development orders approval, such as the review and analysis of property appraisals, traffic impact analysis, vegetation and environmental assessments, archeological or historic assessments, market studies, engineering studies or reports, and telecommunications facility siting, and any other documents, studies, data, reports and other materials.~~
- 2) Attorney's fees incurred ~~by the Town Attorney or other legal counsel retained by the Town in connection with the legal review and processing of a development application, the Development Order and/ or the preparation or review of legal documents associated with a Development Order, or conditions of a Development Order for a development order listed herein, and the preparation and/or review of legal documents.~~
- 3) Costs incurred by the Town in connection with advertising, publication, and mailing of legal notices for public hearings, workshops, or other public meetings; recording fees for the cost of recording instruments in the public records of Palm Beach County.
- 4) ~~In the event that at the time an application is received by the Town, Should the Town reasonably anticipate that it will incur additional costs associated with the review, processing and implementation of a development application and/or Development Order are reasonably anticipated by the Town to be incurred by the Town, the Town may require an~~ the applicant as a condition precedent to processing the application, to deposit an amount estimated by the Town's Community Development Director, to be a sufficient ~~cover the Town's anticipated cost~~ cost deposit. ~~All cost deposits Any monies provided to the Town as a cost deposit, shall be placed into an escrow account created by the Town. The Community Development Director After the Town Commission takes final action on the application application is closed out, the Town shall refund any unused cost deposit funds to the applicant upon the completion of all work associated with the review of the application.~~
- 5) There shall be a minimum cost deposit ~~of shall be \$800.00~~ \$1,500 for the review of a development application. Depending upon the nature of the application and the services required, ~~the or a greater amount if deemed necessary by the Town's Community Development Director may require that more than \$1500 be deposited to address the Town's costs associated with the review of a development application cover all anticipated expenses, whichever is greater.~~

Sec 27-114 FEES FOR APPLICATION DEVELOPMENT REVIEW

(a) The following fees shall be collected by the Department of Planning and Zoning when applications for development review are submitted.

Application	Plan Review Fee (Dollars)	Escrow Account Fee (Dollars)	Notes
Abandonment of Rights-of-Way	\$1,800	see notes	(1)
Abandonment of easements and non-fee interests	\$600	see notes	(1)
Annexation-voluntary	\$300	see notes	(1),(5)
Appeal of administrative decisions	\$1,000	see notes	(1)
Archeological certificate to dig	\$180	\$1,800	(1),(6)
Comprehensive plan text amendment	\$2,500	see notes	(1),(6)
Comprehensive land use plan map change			
a. Small Scale	\$3,000	see notes	(1),(2)
b. Large Scale	\$3,500	see notes	(1),(2)
Development of regional impact	\$5,500*	\$7,800	(1),(6)
a. Substantial deviation	\$4,000*	\$2,500	(1),(6)
b. Notice of proposed change for a minor modification	\$3,000	see notes	(1)
c. Annual Report Review	\$1,000	see notes	(1)
Development approval extension	\$1,675	see notes	(1)
Development Review Committee(DRC) Pre-application	\$400	see notes	(1)
Developer's agreements review and approval	\$2,000	see notes	(1)
Historic Preservation			
a. Historic structure or district designation	\$180	\$1,800	(1),(5),(6)
b. Certificate of Appropriateness	\$180	\$1,800	(1),(5),(6)
c. Ad valorem tax exemption for historic property	\$60	\$600	(1),(5),(6)
Nonconforming use permits	\$110	see notes	(1)
Performance bond or monies accepted by the Town	\$150	see notes	(1),(7)
Planned unit development			
a. Subdistrict and Master plan approval	\$4,000	see notes	(1)
b. Per waiver requested	\$250	see notes	(1)
c. Modification to previously approved master site plan requiring Town Council review	\$2,000	see notes	(1)
d. Minor Development Review Committee (DRC) modification to previously approved master site plan	\$650	see notes	(1)
e. Minor PZ Staff modification to previously approved master site plan	\$150	see notes	
Recordation of documents -			
Plus recordation fees charged by the Clerk of the Circuit Court	\$90	n/a	(3)
Re-submittal fee (after first resubmittal) requiring review by Development Review Committee (DRC)	\$500	see notes	
Research fees, per hour	\$30	n/a	(4)
Review by TC (conceptual plan)	\$250	n/a	
Review of legal documents (post approval)	n/a	\$500	(1)
Site plan approval, non-residential			
a. 0--4,999 square feet	\$2,000	see notes	(1)
b. 5,000--14,999 square feet	\$3,000	see notes	(1)
c. 14,999 square feet	\$4,500	see notes	(1)
d. Greater than 50,000 square feet	\$6,000	see notes	(1)
e. Modification to previously approved site plan requiring Town Council review	\$2,000	see notes	(1)
f. Minor Development Review Committee (DRC) modification to previously approved site plan	\$600	see notes	(1)
g. Minor PZ Staff modification to previously approved site plan	\$150	see notes	(1)

Site plan approval, residential			
a. Base fee	\$1,200	see notes	(1)
b. Additional fee	Greater of \$15 per dwelling unit or lot	see notes	(1)
c. Modification to previously approved site plan requiring Town Council review	\$2,000	see notes	(1)
d. Minor Development Review Committee (DRC) modification to previously	\$600	see notes	(1)
e. Minor PZ Staff modification to previously approved site plan	\$150	see notes	(1)
Small Scale Planned Development			
a. Base fee (administrative small scale)	\$1,000	see notes	(1)
b. Base fee (requiring Town Council review)	\$2,000	see notes	(1)
c. Per waiver requested (in addition to base fee)	\$250	see notes	(1)
Special Event Permit (*fees per Article IV, Table II of the Zoning Code)			
a. Class A1	\$40	n/a	
a. Class A	\$100	n/a	
b. Class B	\$400	n/a	
c. Class C	\$300	n/a	
d. Class D	\$700	n/a	
Special Exception (one use per application plus \$500 for each additional request)			
a. 0--4,999 square feet	\$2,000	see notes	(1)
b. 5,000--14,999 square feet	\$2,500	see notes	(1)
c. 14,999 square feet	\$4,000	see notes	(1)
d. Greater than 50,000 square feet	\$5,000	see notes	(1)
e. Modification to previously approved special exception requiring Town Council review	\$2,000	see notes	(1)
f. Minor Development Review Committee (DRC) modification to previously approved special exception	\$600	see notes	(1)
g. Minor PZ staff modification to previously approved special exception	\$150	see notes	(1)
Unfinished structure, authorization to cease construction	\$1,020	\$300	(1),(6)
Unity of title - request to dissolve	\$600	see notes	(1)
Variance, nonresidential	\$870	see notes	(1)
Variance, residential	\$630	see notes	(1)
Vegetation removal and land clearing permit			
a. Flat Fee- commercial, industrial, multifamily residential development	\$210 plus \$45 per acre for land clearing	n/a	
b. Exotic removal	n/a	n/a	
Zoning code text amendment	\$2,500	see notes	(1)
Zoning map amendment	\$2,200	see notes	(1),(2)
Zoning determination letter	\$100	n/a	(1),(4)

*any additional staff costs for reviewing the applications will be billed to applicant.

Notes:

(1) Additional costs may be incurred by the applicant, including, but not limited to, the following:

a. Professional fees paid by the Town to review or prepare such professional documents as a property appraisal, traffic impact and parking analyses, vegetation and environmental assessments, archeological or historic assessments, market studies, engineering studies or reports, legal documents and costs, site or architectural plans, noise study, lighting plans, or other documents required to review a development application. In these cases, the applicant may be required to provide a deposit that will be placed in an escrow account with the Town. Upon completion of the review of the development applications, the applicant will be either refunded any unused amount of the escrow account fee or charged for any additional costs incurred by the Town in excess of the deposit. If costs exceed the deposit, application review, permitting, platting, scheduling of a public hearing, inspections or issuing of a Certificate of Occupancy or completion may be suspended until such time as the outstanding costs are paid.

b. Costs associated with advertising for public hearings and other public notice requirements are the responsibility of the applicant. As part of the sufficiency determination, staff will determine the cost and notify the applicant. The fee shall be paid prior to such application being scheduled for a public hearing requiring notice.

(2) The application fee may be waived by the Town Manager provided the application is considered in conjunction with the submission of a voluntary annexation application.

(3) \$75.00 administrative fee to be charged in addition to the recordation fee.

(4) \$25.00 per hour or portion thereof in excess of 20 minutes.

(5) Fees may be waived by the Town Manager for historic preservation to encourage the preservation of historic structures and areas; and for voluntary annexations of developed areas.

(6) An escrow fee is required with the submittal of this application to cover variable costs associated with note (1) above. In these cases, the applicant shall be required to provide a deposit that will be placed in an escrow account with the Town. Upon completion of the review of the development applications, the applicant will be either refunded any unused amount of the escrow account fee or charged for any additional costs incurred by the Town in excess of the deposit. If costs exceed the deposit, application review, permitting, platting, scheduling of a public hearing, inspections or issuing of a Certificate of Occupancy or Completion may be suspended until such time as the outstanding costs are paid.

(7) The fee for acceptance of performance bonds/monies is non-refundable.

(b) In addition, applicants for any application for development review listed in the above table, shall place funds as determined by the Town into any escrow account to reimburse the Town for such legal costs and fees the Town incurs in reviewing and processing applications for development review. The costs and fees billed to an applicant by the Town shall be the same costs and fees actually billed to the Town, in accordance the agreement between the Town and the Town Attorney. Failure by an applicant to deposit monies into the escrow account when requested shall result in the cessation of the review of the application.

(c) Failure by an applicant to pay additional costs incurred by the Town for any application for development review, as required by this Section, within 30 days of being notified by the Town, shall result in cessation of the review of the application. The Town may serve a notice of violation and subsequently a notice of hearing before the Town's Special Magistrate to collect said costs incurred.