



DEVELOPMENT REVIEW REPORT

ORDINANCE NO. 24O-XX-XXX

The item before the Planning and Zoning Board (Board), sitting as the Local Planning Agency (LPA), is a proposed Ordinance of the City of Lauderhill, Florida; to amend the Code of Ordinances Chapter 6- Building and Building regulations, Article 1. In General, Section. 6-10. Enumeration of permit fees, regulations and inspections fees. III Planning and Zoning Review to remove the fee schedule listed in Section III. A to Y and transfer to the Land Development Regulations, Article I- General Provisions, Sec 1.8 Planning and Zoning Review Fee Schedule with updated fees and categories; Providing for an effective date.

The Department recommends the Board enter into the record the Development Review Report and all other substantial competent evidence presented at the hearing, adopt the findings and conclusions contained herein, and forward the record to the City Commission with a recommendation the proposed Ordinance be adopted.

I. BACKGROUND

Applications processed by the Planning & Zoning Department require fees to offset staff review and administration. On January 25, 2010, the City Commission adopted Ordinance 10O-01-103 approving the existing Planning and Zoning Review fee schedule. Since then, development applications and operating costs have increased.

The existing Planning and Zoning fees are in the City's Code of Ordinances, Chapter 6 Building and Building Regulations, Section 6-10. Enumeration of Permits fees, regulations and inspections fees which includes Planning and Zoning Review fees as well as Building fees. Staff recommend moving the Planning

and Zoning Review fees to the Land Development Code which is a more suitable location for these fees.

II. PROPOSED TEXT AMENDMENTS

Below are the proposed text amendments to the Code of Ordinances and the LDR.

Code of Ordinances

Chapter 6 – Building and Building Regulations

Sec. 6-10 Enumeration of permit fees, regulations and inspections fees.

III. ~~Planning and Zoning Review.~~

~~(a) Variance filing fees:~~

~~(1) Zoning \$1,000.00~~

~~(2) Sign \$350.00~~

~~(b) Special exception filing fee \$800.00~~

~~(c) Rezoning filing fee \$2,000.00~~

~~(d) Platting filing fee (minimum) \$800.00~~

~~..... or \$150.00 per acre;~~

~~..... to maximum of \$3,000.00;~~

~~..... whichever is greater.~~

~~(e) Vacation of easement right-of-way \$800.00~~

~~(f) Acceptance of easement right-of-way \$800.00~~

~~(g) Land-use plan amendment (minimum fee) \$3,000.00~~

~~..... or \$500.00 per acre;~~

~~..... to maximum of \$10,000.00;~~

~~..... whichever is greater.~~

~~(h) Site plan review (minimum) \$1,000.00~~

~~..... or \$250.00 per acre;~~

~~..... to maximum of \$5,000.00;~~

~~..... whichever is greater.~~

~~(1) Traffic engineering study \$1,000.00~~

~~(i) Revised or amended site plan \$500.00~~

~~(1) Traffic engineering study (major site plan modification) \$500.00~~

~~(j) Waiver or replat \$500.00~~

~~(k) Landscape inspection or re-inspection fee:~~

~~(1) Single family dwelling \$40.00~~

- a. — First reinspection \$25.00
 - b. — Second or subsequent reinspection \$40.00
- (2) — Multi-family residential and commercial, per building \$100.00
 - a. — First reinspection \$75.00
 - b. — Second or subsequent reinspection \$100.00
- (l) — Modification to landscape plan \$200.00
- (m) — Landscape upgrade \$75.00
- (n) — Zoning inspection or re-inspection fee:
 - (1) — Single-family dwelling \$40.00
 - a. — First reinspection \$25.00
 - b. — Second or subsequent reinspection \$40.00
 - (2) — Multi-family residential and commercial, per building \$100.00
 - a. — First reinspection \$75.00
 - b. — Second or subsequent reinspection \$100.00
- (o) — Sales trailer:
 - (1) — Initial approval \$250.00
 - (2) — Renewal \$100.00
- (p) — Liquor license zoning compliance review \$100.00
- (q) — Voluntary withdrawal by applicant of any item in this subsection from city commission or planning and zoning board agenda to replace item on subsequent city commission or planning and zoning board agenda (tabling for failure to appear at a meeting shall constitute voluntary withdrawal) \$100.00
- (r) — Development review \$250.00
- (s) — Requested inspection for code compliance, apparent zoning and site plan violations, exterior inspections of buildings (prior to real estate closings or foreclosures) \$200.00
- (t) — Any review wherein the city requires assistance by outside consultants, applicant shall pay consultant's fees. City may also require a deposit, the amount of the deposit to be determined by the city.
- (u) — Amendment to the land development regulations, when requested by the applicant \$2,500.00
 plus \$89.00 per staff hour
- (v) — Tree removal permit fees:
 - (1) — Minimum fee \$50.00
 - (2) — Up to ten (10) inches in caliper, per tree \$25.00
 - (3) — Over ten (10) inches and up to eighteen (18) inches in caliper, per tree \$50.00
 - (4) — Over eighteen (18) inches in caliper, per tree \$75.00

~~(w) Sign permit fees:~~

~~(1) Temporary signs:~~

- ~~a. Three (3) days \$25.00~~
- ~~b. Ten (10) day \$50.00~~
- ~~c. Thirty (30) days \$100.00~~

~~(2) Permanent signs:~~

- ~~a. Minimum fee \$75.00~~
- ~~b. Per square foot \$2.00~~

~~(3) Dynamic display, in addition to (1) or (2) above, as applicable:~~

- ~~a. Window \$100.00~~
- ~~b. Monument \$500.00~~

~~(x) Zoning Verification Letter~~

~~(1) Zoning map/LU verification (base fee) \$100.00~~

~~(2) Additional determinations \$89.00 per staff hour~~

~~(y) Staff review/research for documentation not listed \$89.00 per staff hour~~

Land Development Regulations

Article 1- General Provisions

Sec. 1.8. – ~~Reserved~~ Planning and Zoning Review Fees

<u>Fee Schedule</u>	
<u>Applications</u>	<u>Fees</u>
<u>Variance filing fees</u>	
<u> Zoning</u>	<u>\$ 1,425.00</u>
<u> Sign</u>	<u>\$ 1,325.00</u>
<u>Special Exception filing</u>	<u>\$ 1,325.00</u>
<u>Rezoning filing fee</u>	<u>\$ 4,450.00</u>
<u>Plat Note Amendment/ Amendment to Approve</u>	<u>\$ 2,350.00</u>
<u>Plat</u>	<u>\$ 2,475.00</u>
<u>Vacation of easement right-of-way</u>	<u>\$ 1,600.00</u>
<u>Acceptance of easement right-of-way</u>	<u>\$ 1,600.00</u>
<u>Land-use plan amendment (minimum fee)</u>	<u>\$ 7,575.00</u>
<u>Site Plan- Major Review (1st and 2nd submittal)</u>	<u>\$ 5,525.00</u>
<u>Site Plan- Major and Administrative 3rd submittal</u>	<u>\$ 1,625.00</u>

<u>Traffic engineering study (Initial cost recovery deposit to cover engineering consultant fees for meetings, review, and comments. Final cost to be determined.)</u>	<u>\$ 5,000.00</u>
<u>Site Plan Administrative Review (1st and 2nd submittal)</u>	<u>\$ 2,975.00</u>
<u>Land Development Regulation Amendment</u>	<u>\$ 3,825.00</u>
<u>Landscape permit review, & inspection or re-inspection fee</u>	
<u>Single-family dwelling</u>	<u>\$ 45.00</u>
<u>First re-inspection</u>	<u>\$ 25.00</u>
<u>Second or subsequent reinspection</u>	<u>\$ 40.00</u>
<u>Multiple-family residential and commercial, per building</u>	<u>\$ 200.00</u>
<u>First re-inspection</u>	<u>\$ 100.00</u>
<u>Second or subsequent reinspection</u>	<u>\$ 125.00</u>
<u>Zoning permit review, & inspection or re-inspection fee</u>	
<u>Single-family dwelling</u>	<u>\$ 40.00</u>
<u>First reinspection</u>	<u>\$ 25.00</u>
<u>Second or subsequent reinspection</u>	<u>\$ 40.00</u>
<u>Multiple-family residential and commercial, per building</u>	<u>\$ 200.00</u>
<u>First re-inspection</u>	<u>\$ 100.00</u>
<u>Second or subsequent reinspection</u>	<u>\$ 125.00</u>
<u>Sales trailer</u>	
<u>Initial approval</u>	<u>\$ 250.00</u>
<u>Renewal</u>	<u>\$ 100.00</u>
<u>Liquor license zoning compliance review</u>	<u>\$ 25.00</u>
<u>Tree removal permit fees</u>	
<u>Minimum</u>	<u>\$ 50.00</u>
<u>Up to ten (10) inches in caliper, per tree</u>	<u>\$ 25.00</u>
<u>Over ten (10) inches in caliper, per tree</u>	<u>\$ 50.00</u>
<u>Sign Permit fees:</u>	
<u>Temporary Signs</u>	
<u>Three (3) days</u>	<u>\$ 50.00</u>
<u>Ten (10) days</u>	<u>\$ 75.00</u>
<u>Thirty (30) days</u>	<u>\$ 125.00</u>
<u>Permanent Signs (Static Messages)</u>	<u>\$ 100.00</u>
<u>Permanent Sign (Dynamic display):</u>	
<u>Window</u>	<u>\$ 100.00</u>
<u>Monument</u>	<u>\$ 500.00</u>
<u>Zoning Verification Request</u>	<u>\$ 50.00</u>
<u>Zoning Confirmation Letter</u>	
<u>First two questions included in request</u>	<u>\$ 90.00</u>
<u>Staff review/research for documentation not listed (per staff hour)</u>	<u>\$ 90.00</u>

III. ANALYSIS

Data means factual information used as a basis for reasoning, discussion or calculation. Data must be based upon professionally reliable sources and the most recently available data should be used. Analysis involves an examination of the data, any assumptions, any employed methodologies, any applicable regulations, and deducing findings of facts and conclusions needed in order to make a recommendation.

The proposed fees are calculated based on the actual time and appropriate staff positions to review the submitted application package, provide comments and draft staff reports for the appropriate Boards and Commission for approval of all potential types of projects. Staff believe this approach is more accurate in providing the services to the applicant/entity and for the City to receive the appropriate cost recovery when using consultants.

The City's fees for processing and reviewing applications are based on the request of an entity or person. Therefore, except in cases when there is an overriding public benefit with the City's involvement in an individual action, a fee for service ensures the person or entity consumes most, if not all the cost incurred by the City to provide the services.

Best Practices for fee schedules indicate fees should be set according to the estimated reasonable cost of services. The fees should be fair, a reasonable relationship to the payer's burden on or benefits provided by the City. It is important to evaluate the Planning and Zoning Review Fee schedule every one to three years to ensure the fees are reasonable. The City can choose one of the three options.

The proposed fee updates would result in an increase to most fees though some fees would remain the same. A fee comparison indicating the existing and proposed fees is attached as Attachment B. For example: A Variance Zoning fee would increase from \$1,000 to \$1,425, this is a 43% increase. This is due to the staff time it takes to review the application, provide comments, draft notifications, prepare staff report for Boards and Commission approval.

The Fee evaluation provides examples of fee comparisons with other local cities. The proposed fees would be in the mid-range in comparison to other local cities (Attachment C).

IV. ATTACHMENTS

Attachment A – Proposed fee schedule

V. FINDINGS AND CONCLUSIONS

Based upon the information contained in this Development Review Report, the following findings of fact and conclusions of law are offered:

- A. The Department finds the proposed Ordinance is in Compliance with the Goals, Objectives, and Policies of the Futures Land Uses Element of the Comprehensive Plan.
- B. The Department concludes the proposed Ordinance amending the LDR is in conformance with the standards and requirements specified in Land Development Regulations Article IV., Section 2.4., Basis for Recommendations.

- C. The Department finds the proposed Ordinance amending the LDR have been duly noticed and concludes it is in conformance with the public notice requirements.

VI. ALTERNATIVE ACTIONS

The Board has one of the following alternative actions at its disposal:

- A. Enter into the record the Development Review Report and all other substantial competent evidence presented at the hearing, adopt the findings and conclusions contained herein, and forward the record to the City Commission with a recommendation that the proposed Ordinance be adopted.
- B. Enter into the record the Development Review Report and all other substantial competent evidence presented at the hearing, amend the findings and conclusions contained herein to support the Board's recommendation, and forward the record to the City Commission with a recommendation that the proposed Ordinance be denied.
- C. Enter into the record the Development Review Report and all other substantial competent evidence presented at the hearing, amend the findings and conclusions contained herein to support any necessary conditions, and forward the record to the City Commission with a recommendation that the proposed Ordinance be adopted with conditions.
- D. Enter into the record the Development Review Report and all other substantial competent evidence presented at the hearing and table the proposed Ordinance until the specified information is provided.

VII. RECOMMENDED ACTION

- A. Department recommendation. The Department recommends the Board enter into the record the Development Review Report and all other substantial competent evidence presented at the hearing, adopt the findings and conclusions contained herein, and forward the record to the City Commission with a recommendation that the proposed Ordinance amending the LDR be adopted.
- B. Board recommendation. The proposed Ordinance is scheduled for April 30, 2024, Planning and Zoning Board regular meeting.
- C. City Commission action. First reading of the proposed Ordinance is tentatively scheduled for June 10, 2024 and second reading on June 24, 2024.

Article 1 - General Provisions

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Sec. 1.8. - Planning and Zoning Review Fees

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Attachment "A"

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Permanent Sign (Dynamic display)	
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