

RESOLUTION # R10-068

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, ADOPTING A FEE SCHEDULE FOR COMPREHENSIVE PLAN AMENDMENTS

Upon motion by Commissioner Beckner, seconded by Commissioner White, the following resolution was adopted by a vote of 7 to 0; Commissioner(s) _____ voting "No."

WHEREAS, the Board of County Commissioners adopted the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* by Ordinance 89-28, as amended which replaced the *Hillsborough County Horizon 2000 Comprehensive Plan*; and

WHEREAS, Section 163.3174(3), Florida Statutes, provides that the Board of County Commissioners shall adopt a schedule of fees to be charged by the Local Planning Agency; and

WHEREAS, the Board of County Commissioners adopted a fee schedule for amendments to the Comprehensive Plan for unincorporated Hillsborough County in 1986 which has been subsequently amended; and

WHEREAS, the fee schedule was subsequently incorporated into the *Procedures Manual and Fee Schedule for Amendments to the Future of Hillsborough Comprehensive Plan*; and

WHEREAS, on December 14, 2009, the Hillsborough County City-County Planning Commission adopted a resolution recommending to the Board of County Commissioners that the fee schedule be removed from the *Procedures Manual and Fee Schedule for Amendments to the Future of Hillsborough Comprehensive Plan* and be adopted as a separate document; and

WHEREAS, the Hillsborough County City-County Planning Commission recommended that the schedule of fees attached hereto is a reasonable and fair schedule of fees for planning services provided by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, ASSEMBLED THIS 8th DAY OF JUNE, 2010:

Section 1. That the fee schedule as recommended by the Planning Commission and attached hereto as attachment "A" is hereby adopted by the Board of County Commissioners.

Section 2. The fee schedule attached hereto as attachment "A" shall be called the *Fee Schedule for Amendments to the Future of Hillsborough Comprehensive Plan*.

Section 3. This resolution shall be deemed effective upon adoption by the Board of County Commissioners of Hillsborough County.

State of Florida)
County of Hillsborough)

I, Pat Frank, Clerk of the Circuit Court and Ex Officio Clerk to the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board of County Commissioners at a regular meeting held on June 8th, 2010, as the same appears of record in Minute Book _____ of the Public Records of Hillsborough County, Florida.

Witness my hand and official seal this 11th day of June, 2010.

Pat Frank, Clerk of Circuit Court

By: Beverly Anne Miller
Deputy Clerk



Approved as to Form and
Legal Sufficiency

By: [Signature]
Assistant County Attorney

Attachment “A”

RESOLUTION

FEE SCHEDULE FOR PLANNING COMMISSION SERVICES

Plan Amendments

Large Scale Amendments (500 acres or more) -- \$3,000 each

Small Scale Amendments (<500 acres) -- \$1,000 each

Plus Actual Cost of Advertising in newspaper of general circulation

Plus Actual Cost of Advertising in 2 minority or neighborhood newspapers

Land Use Verifications, Transportation Modeling & Special Data Generation Request
\$30 per hour

Plus Direct costs such as copying (\$.03/page), map reproduction & computer time

DRI Reviews for Plan Consistency

\$500 each

Port Authority Permit Review

\$200 each

Rezoning & Site Plan Reviews

\$150 each

Subdivision Reviews

\$100 each

Right of Way Vacations

\$30 each

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\$500 each

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Rezoning & Site Plan Reviews
\$150 each

Subdivision Reviews \$100 each

Right of Way Vacations \$30 each

+\$_____

Pro-rata share of advertising costs for two advertisements at least 2 columns wide by 10 inches long noticing the LPA Public Hearing (DUE 5 WEEKS PRIOR TO THE LPA PUBLIC HEARING). Fee shall be made payable to the Board of County Commissioners of Hillsborough County by separate money order or check.

+\$_____

Pro-rata share of advertising costs for two advertisement at least 2 columns wide by 10 inches long noticing BOCC Public Hearings (DUE 7 DAYS AFTER THE LPA PUBLIC HEARING AND 7 DAYS AFTER TRANSMITTAL HEARING RESPECTIVELY). Fee shall be made payable to the Board of County Commissioners of Hillsborough County by separate money order or check. (only one advertisement is required for Small Scale Amendments)

NEITHER THE LPA NOR THE BOCC SHALL BE REQUIRED TO SUBMIT FEES WHEN EITHER IS THE REQUESTING PARTY.

- B. If required by the Local Planning Agency, the following costs, as applicable, shall be paid by the party or parties requesting plan amendment(s) to the Board of County Commissioners of Hillsborough County in accordance with the requirements of an approved public participation plan.

\$_____ Pro-rata share of advertising costs for two advertisements noticing the LPA Public Hearing (DUE 5 WEEKS PRIOR TO THE LPA PUBLIC HEARING). Fee shall be made payable to the Board of County Commissioners of Hillsborough County by separate money order, or check.

+\$_____

Pro-rata share of advertising costs for two advertisements noticing each BOCC Public Hearings (payment for the first hearing is due 7 days after the lpa public hearing. Payment hearing following hearing). payable for the second is due 7 days the transmittal Fee shall be made to the Board of County Commissioners of Hillsborough County by separate money order or by check.

- C. All fees assessed and collected pursuant to this Section are nonrefundable. Fees shall be paid at the LPA offices. LATENESS IN THE SUBMITTAL OF REQUIRED ADVERTISEMENT FEES WILL RESULT IN THE AMENDMENT NOT BEING ADVERTISED, THE HEARING BEING RESCHEDULED, OR THE AMENDMENT BEING CONTINUED AND PROCESSED DURING THE NEXT REVIEW PERIOD. THE AMENDMENT WILL NOT BE PROCESSED AS ORIGINALLY SCHEDULED.

- D. During the first quarter of each fiscal year for Unincorporated Hillsborough County, the LPA staff shall review the adopted Schedule of FEES so as to ensure that fees accurately reflect costs for staff time. for review of requests for plan amendments, and costs for required Public Notices. Costs for newspaper advertisements shall be evaluated in a manner so as to determine the least costly alternative for providing adequate and effective public notice as required by law. After conducting such a review, the LPA staff may, when changes to the Fee Schedule are necessary, recommend changes to the adopted fee schedule at a regularly scheduled meeting of the LPA to achieve the objectives described in this paragraph. The LPA may, after receiving the LPA staff's recommendation, adopt a resolution recommending change(s) to the fee schedule to the BOCC.
- E. The Board of County Commissioners may from time to time review these fees and change them to reflect current costs, after receiving the recommendation of the LPA pursuant to paragraph C. above.

SECTION 3. Fee Background

A. Application Fee:

Staff time

(see paragraph B. below)

\$1000.00 if less than 500
\$3000.00 if
500 acres or more

Proof of mailing

Calculated by multiplying current cost of 3 proof of mailings by the number of property owners and Registered Neighborhood Group(s) (pursuant to the Neighborhood Bill of Rights), affected in the study area.

Posting of signs:

Calculated by multiplying current costs for 3 public hearings (costs of signs, posts, film for documenting sign posting).

Pro-rata share of four

Calculated by dividing total current cost of advertisements at least 2 columns wide by 10 inches long by the number of applicants for Tampa Tribune: current submittal.

NOTE: PUBLIC NOTICE FEES (I.E., MAILING AND ADVERTISING) WILL, BE BASED UPON ACTUAL COSTS AT THE TIME FEES ARE DUE AND PAYABLE.

- B. Costs associated with "staff time" include costs for planning staff review, processing of notices, posting, and presentation to the LPA and the Board of County Commissioners.

SECTION 4. Utilization of Fees Collected

The fees collected pursuant to this Resolution shall be utilized solely to meet the costs associated with the review of land use plan amendments as described herein.

SECTION 5. Failure to Timely Remit Fees

Any requested party who fails to remit the required fees prior to or on the deadlines established in Section 2A and 2B, above, will be notified by LPA staff of such delinquency by certified mail, return receipt requested. Failure to remit the required fees within 7 days following receipt of such notice of delinquency shall result in the automatic continuation of the plan amendment request to the next regular review period. If payment of such fees has not been made by the first day of the next applicable review period, then such plan amendment request shall be considered to have been withdrawn by the requesting party. For plan amendment requests associated with a DRI, substantial deviation, or FQD, failure to remit the required fees within 7 days following receipt of a notice of delinquency shall result in the plan amendment request being treated as regular plan amendment request and being continued to the next regular review period.

Only one continuation for delinquency in payment of fees shall be granted for each plan amendment request. Should a plan amendment request be continued for delinquency in payment in fees, and should that delinquency be cured by the applicable deadline in the next applicable review period, any subsequent delinquency which continues past the 7 day period following receipt of notice of delinquency shall result in the automatic withdrawal of the plan amendment request.

SECTION 6. Effective Date

This Resolution shall take effect upon passage by the Board of County Commissioners of Hillsborough County. The application fee shall apply to all plan amendment requests filed on or after July 1, 1986. The public notice and advertisement fees shall be applicable to all plan amendment requests pending or filed on or after July, 1986.