

CITY COUNCIL RESOLUTION NO. 2015-061

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, ADOPTING A SCHEDULE OF FEES AND POLICIES PERTAINING TO PETITIONS, APPLICATIONS OR REQUESTS RELATING TO LAND USE AND ZONING REGULATIONS AS AUTHORIZED BY SECTION 1.7 OF THE LAND DEVELOPMENT REGULATIONS ("LDRs"), WHICH LDRs ARE INCORPORATED IN AND MADE A PART OF ARTICLE I, CHAPTER 74, SECTION 74-1 OF THE CITY CODE.

WHEREAS, pursuant to and under the provisions of the Local Development Comprehensive Planning and Land Development Regulation Act (the "Act"), the City of Lake City, Florida ("City"), is authorized by resolution of the City Council to establish a schedule of fees and charges relating to the authorized use of land; and

WHEREAS, the City has adopted a Comprehensive Plan and Land Development Regulations pursuant to the Community Planning Act, Chapter 163.3161 through 163.3248, Florida Statutes; and

WHEREAS, reasonable fees sufficient to cover the costs of administration, inspection, publication of notice and similar matters may be charged to applicants for zoning permits, sign permits, special exceptions applications, subdivision plat approval, zoning amendments, variances and other administrative relief have been established pursuant to Resolution No. 94-007; and

WHEREAS, the City desires to amend the schedule of fees as provided for herein; and

WHEREAS, the City desires to rescind Resolution 94-007.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are all true and accurate and are hereby incorporated herein and made a part of this resolution.

Section 2. The following Schedule of Fees is hereby adopted and shall be paid to the City prior to any action taken relating to any requested changes, modifications, amendments, or other matters relating to the use of land:

<u>Application Type</u>	<u>Fee</u>
<u>Comprehensive Plan Amendments</u>	
Comprehensive Plan Amendment, Small Scale	\$2,000
Comprehensive Plan Amendment, Large Scale	<i>*Fees based on costs incurred by city</i>
<u>LDR Text Amendment & Rezoning</u>	
Site-Specific Amendment to the Official Zoning Atlas, less than or equal to 10 acres	\$1,250
Site Specific Amendment to the Official Zoning Atlas, greater than 10 acres	<i>*Fees based on costs incurred by city</i>
Land Development Regulation (LDR) text Amendments	\$1,250
<u>Special Exception</u>	
Special Exception	\$750
<u>Variance</u>	
Variance	\$750
<u>Subdivision & Development Plan Reviews</u>	
Major Subdivision (fee includes review of Preliminary Plat, Construction Plans, & Final Plat)	\$2,500

Minor Subdivision (fee includes review of Final Plat)	\$750
Site Plan	\$500
Site Plan Extension of Time	\$100

Compliance Determination & Administrative Reviews

Temporary Use Permit	\$150
Special Event Permit	\$175
Zoning Approval for Beverage License	\$150
Certificate of Land Development Regulations (LDR) Compliance	\$100
Interpretation of Land Development Regulations (LDR) Admin	\$50

Appeals to the Board of Adjustment

Decisions of Land Development Regulations (LDR) Administrator	\$750
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Appeals to City Council

Decisions of Planning & Zoning Board	\$100
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1. No application shall be accepted for processing until the required application fee, or reduced fee established pursuant to subsections 5, 6, or 7 is paid in full by the applicant. An application fee may be refunded only if the application is withdrawn prior to the City incurring direct costs in processing the application (i.e. copying and distributing copies to staff and/or consultants, reviewing application materials, posting and/or mailing public notices, advertising, postage, printing reports, etc.)

2. The City, in its sole discretion, may engage the professional services outside consultants in the disciplines including, but not limited to traffic engineering, civil engineering, electrical engineering, landscape architects, planning consultants, and acoustical consultants, to review and comment on a petition, application, or appeal. The city shall invoice the applicant for all costs associated with expert reviews by outside consultants. All costs associated with outside review fees shall be paid in full prior to any legislative and/or quasi-judicial action of any type or kind on the petition, application, or appeal.

3. In the event that re-advertisement of an application is required due to any delay or postponement requested or agreed to by the applicant, or necessitated by some act or failure to act on the part of the applicant, a supplemental fee for mail-out costs and published advertisement costs will be charged to the applicant. This supplemental fee is intended to cover additional costs for re-mailing and re-advertising an application. This invoice shall be paid in full prior to any legislative and/or quasi-judicial action of any type or kind on the petition application, or appeal.

4. A separate fee shall be charged for each action requested unless the Land Development Regulation Administrator determines that the action requested is related to another requested action by the applicant and that the request will require no additional staff time.

5. Notwithstanding any other provisions to the contrary, any filing fee required under the City's Planning and Community Development fee schedule may be waived for any applicant which is an agency of the government of the United States, as an agency of Columbia County, or an agency of the State of Florida, if written request is received by the City within five (5) working days of submission of the application. However, the agency shall be required to incur all costs associated with the published and mailed notification.

6. The City Manager may reduce a required application fee where it is found that: 1) special circumstances, not under the control of the applicant, justify a reduction in the fee; and, 2) the actual direct cost to the City for processing the application will not exceed the actual fee collected. In no case may a reduced fee be less than the costs incurred by the City associated with published and mailed notification. No request for reduction in the fee shall be considered unless the request is received in writing within five (5) business days following the date an application is submitted to the Planning and Community Development Department.

7. The City Manager may waive all or a portion of the temporary use permit fee when the LDR Administrator determines that a personal hardship exists on the applicant. The burden of proof of such hardship must be adequately demonstrated by the applicant to the LDR Administrator.

8. Certificate of LDR Compliance fees are non-refundable. This includes, but is not limited to, instances where fees are collected for a determination review associated with an application for a Local Business Tax Receipt which is found to be inconsistent with the Land Development Regulations and thus denied.

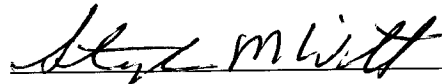
Section 3. It is the declared intent of the City Council of the City of Lake City that, if any section, sentence, clause, phrase, or provision of this resolution is for any reason held or declared to be unconstitutional, void, or inoperative by a court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this resolution, and the remainder of this resolution after the exclusion of such part or parts shall be deemed to be valid.

Section 4. This resolution shall be filed in the Office of the City Clerk of the City of Lake City, in the Office of the Growth Management Director of the City of Lake City, and in the Office of the Planning and Zoning Board of the City of Lake City, Florida.

Section 5. All resolutions or parts of resolutions in conflict herewith are, to the extent of the conflict, hereby repealed, and specifically Resolution 94-007.

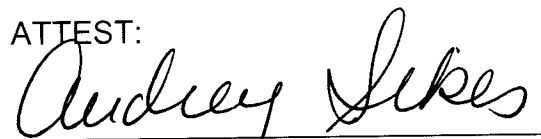
Section 6. This resolution shall be effective as of the date of its adoption.

PASSED AND ADOPTED at a meeting of the City Council this 5th day of October, 2015.



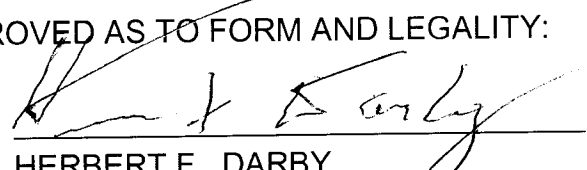
Mayor-Councilman

ATTEST:



City Clerk

APPROVED AS TO FORM AND LEGALITY:

By: 

HERBERT F. DARBY
City Attorney