

ORDINANCE NO. 0-08-08

An ordinance of the City of Gainesville, Florida, amending Appendix A, Schedule of Fees, Rates and Charges, for Land Development Code Petitions, Applications and Development Fees, by adding traffic study review fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, at least 10 days notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a public hearing to be held in the City Commission Auditorium, City Hall, City of Gainesville; and

WHEREAS, the Public Hearings were held pursuant to the published notice described at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

Section 1. A portion of Appendix A of the Code of Ordinances, relating to fees for Land Development Code Petitions, Applications and Development Fees, is hereby amended to read as follows:

(See Exhibit "A," attached hereto and incorporated herein by reference as if fully set forth in full)

Section 2. It is the intention of the City Commission that the provisions of Section 1 shall become and be made a part of the Code of Ordinances of the City of Gainesville, Florida, and that the sections and paragraphs of this Ordinance may be renumbered or relettered in order to accomplish such intentions.

1 **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid or
2 unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect
3 the validity of the remaining portions of this ordinance.

4 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of such
5 conflict hereby repealed.

6 **Section 5.** This ordinance shall take effect immediately upon adoption.

7 **PASSED AND ADOPTED** this ____ day of _____, 2008.

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ATTEST:

PEGEEN HANRAHAN
MAYOR

Approved as to form and legality

MARION J. RADSON
CITY ATTORNEY

KURT M. LANNON
CLERK OF THE COMMISSION

20 This Ordinance passed on first reading this ____ day of _____, 2008.

21 This Ordinance passed on second reading this ____ day of _____, 2008.

EXHIBIT "A"

APPENDIX A. SCHEDULE OF FEES, RATES AND CHARGES*

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4	<i>Subject</i>	<i>Amount</i>	
5	LAND DEVELOPMENT CODE		
6	(2) <i>Planning:</i>		
7	<i>Land use and zoning changes:</i>		
8	a. Petitions for an amendment to the land use element of the		
9	comprehensive plan:		
10	1. Small scale map amendment	1,500.00	
11	2. Large scale map amendment	3,000.00	
12	b. Comprehensive plan or land development code text change	578.75	
13	c. Zoning map change	2,790.00	
14	d. Petitions for development plan review and an amendment to a		
15	development plan, which may be authorized by the appropriate		
16	reviewing board, must be accompanied by fees according to this		
17	schedule:		
18	1. Concept review (of any plan)	1,157.75	
19	Fee shall be credited toward the plan review fee if a sub-		
20	sequent petition for development plan review is filed within		
21	six months of its concept review.		
22	2. Minor plan review	1,500.00	
23	3. Minor plan review II	2,000.00	
24	4. Intermediate plan review (Preliminary plan)	2,800.00	
25	5. Intermediate plan review (Final Plan)	995.75	
26	6. Intermediate plan review (Preliminary plan and final		
27	plan as one submittal)	3,500.00	
28	7. Major plan review	3,994.00	
29	8. Amendments to development plan – board review	1,500.00	
30	9. Amendments to development plan – staff review	1,200.00	
31	<u>10. For any plan review that requires submittal of a traffic</u>		
32	study the following additional fees shall apply:		
33	(a) “Minor” traffic study (site trip generation between 50 to		
34	99 peak hour trips as defined in the City of Gainesville		
35	<u>Traffic Study Guidelines) review fee</u>	<u>1,000.00</u>	
36	(b) “Major” traffic study (site trip generation of 100 or		
37	more peak hour trips as defined in the City of Gainesville		
38	<u>Traffic Study Guidelines) review fee</u>	<u>2,000.00</u>	
39	<u>These traffic study review fees include up to three reviews per</u>		
40	<u>development plan. Additional reviews require payment of an</u>		
41	<u>additional fee at the full amount stated above for which</u>		
42	<u>petitioner will receive an additional three reviews, if necessary.</u>		
43	A resubmittal/revision fee of 25 percent of the original fee amount		
44	will be applied to all fee areas.		
45	If a continuance is requested, the fee for the continuance will be		
46	the actual cost of advertising.		

1	All development plan review fees which are for a non-one or two-	
2	family residential project certified under the Gainesville Green	
3	Building Program (Article I.5) shall be reduced by 50 percent.	
4	e.	Petitions for rezoning to the planned development category (in
5		addition to any other applicable development plan fees) 4,500.00
6	f.	Concept review of planned development rezoning fee 1,157.75
7		shall be credited toward the rezoning fee if a subsequent petition is
8		filed within six months for rezoning to planned development.
9	g.	Petitions for amendments to a planned development Ordinance 1,273.50
10		In the event the primary purpose of the amendment is to protect
11		trees and/or other natural features, then the fee may be refunded to
12		the petitioner in the sole discretion of the city manager
13	<i>Other petitions:</i>	
14	h.	Developments of Regional Impact (DRI) An initial fee will be
15		due with the submission of the application. 11,576.25
16		A rate of \$62.75 per hour will be applied against the initial fee
17		for time devoted to the DRI. If the initial fee is expended, a
18		second payment will be assessed. 11,576.25
19		A rate of \$62.75 per hour will be applied against the second
20		payment for time devoted to the DRI. Any excess remaining from
21		the initial fee or second payment will be refunded to the applicant.
22	i.	Petitions seeking special exceptions or variances from the board of
23		adjustment 260.75
24	j.	Petitions seeking street or alley closings or abandonment of any
25		public way 758.25
26	k.	Petitions to appeal administrative decisions to the board of
27		adjustment (§ 30-354) 347.25
28		The fee shall be automatically returned to the petitioner in the
29		event the board of adjustment finds that the order, requirement,
30		decision, or determination of the administrative official was made
31		in error.
32	l.	Zoning verification/code compliance letter 46.50
33	m.	Petitions for special use permits, per petition (in addition to any
34		other applicable development plan review fees) (§§ 30-200 and 30-
35		234) 938.00
36	n.	Petitions for commercial tree removal permits (§ 30-254)
37	1.	Where the parcel is five acres or less 58.00
38	2.	Where the parcel is more than five acres 87.00
39	o.	Petition to appeal a decision of the city planning board or develop-
40		ment review board to a hearing officer (§§30-234 and 30-352.1) 578.75
41		The petitioner is entitled to a refund of the fee in the event the
42		petitioner is the prevailing party. The hearing officer may decide
43		who is the prevailing party in case of doubt or uncertainty.
44	p.	Alcoholic beverage license review 40.75
45	q.	Verification of signatures on a petition, as defined in Section
46		30-56.1, on a petition requesting imposition of a Residential
47		Parking Overlay District, per each signature 1.00