



ITEM SUMMARY

MEETING DATE: September 16, 2024

FROM: Denise Malone, AICP, Director of Development and Neighborhood Services

SUBJECT: **Resolution 2024-46**, Development and Neighborhood Services Department Amended Fee Schedule for Building Permit, Zoning & Engineering Fees.

BACKGROUND

DNS has reviewed its fee schedules and is proposing updates for Building, Planning, Zoning and Engineering fees. In regard to Building fees, the most recent amendment to the Building Division Fee Schedule was adopted through Resolution 2020-40 on October 19, 2020.

Florida Statutes 166.222 and 553.80(7) authorize the governing bodies of local municipalities to provide a schedule of reasonable permit fees in order to defray the cost of inspections and enforcement of the Florida Building Code (FBC). The Building Division's revenue from these fees should, on average over several years, not exceed the costs associated with enforcement activities such as plan review, permit processing, training, and inspections. Some of the activities that are not funded by these fees include zoning, inspection of public buildings, information requests, and enforcement of local ordinances other than the Florida Building Code. The Building Division regularly reviews City permit revenues, enforcement costs, department workload and fees charged by other jurisdictions. Occasionally the review results in proposed adjustments to the permit fee schedule to be brought before City Council for approval. There are many types of fees on the permit fee schedule including: a building permit fee based on the value of construction, plan review fees, re-inspection fees, other penalties, and fees for Building Division services.

The Planning, Zoning and Engineering fees as provided in Section 12-8 and Section 16-35(b) of the City of Greenacres Code, require filing fees for applications related to development applications and other land development reviews and processes. These fees are to be adopted by the City Council through a Resolution and were last amended by the City Council on August 15, 2022, through Resolution 2022-30, with updates for Engineering and Right-of-way permits and other associated fees.

ANALYSIS

Building Permit Fees:

Staff has determined that to cover the costs and percentage of time spent by staff enforcing the FBC, minor increases to the permit fee schedule are being proposed.

Staff has reviewed the permit fees charged by other local municipalities to help determine the appropriateness of the proposed adjustments and found minimum permit fee and most other fees charged by the division to still be among the lowest in Palm Beach County. The proposed permit fee schedule changes are outlined as follows:

- Increased Revision fee from \$20 to \$50 to capture cost of service and be consistent with other municipalities such as Lantana, Palm Beach County, and Town of Haverhill.
- Increased work without Permits Penalty Fee from 2 times to 4 times the permit fee to be a deterrent for performing work without permits and to be consistent with other Municipalities, such as Lantana, Palm Beach County and Town of Haverhill.
- Added Temporary Certificate of Occupancy (TCO) verbiage to C.O Renewal and for other fees related to TCO for clarification.
- Removed the Temporary Use Permit fees from the Building Permits Fee Schedule to Non-Florida Building Code permits section in DNS Department Fee Schedule.
- Added a note indicating that fees and expenses set forth in the Fee Schedule may be increased annually upon each October 1st over the fees and expenses during the prior 12 months, as calculated in the amount equal to the annual percentage increase of the Consumer Price Index (CPI), not to exceed 6% annually, as last reported by the U.S. Bureau of Labor Statistics.
- Added a credit card note that payment made with credit card may incur a convenience charge for processing.

Land Development Review and Process Fees:

As provided in Section 12-8 and Section 16-35(b) of the City Code of Ordinances, filing fees for applications related to Development applications and other Land Development reviews and processes are to be adopted by the City Council through a Resolution. These fees were last amended by the City Council on August 15, 2022, through Resolution 2022-30, based on adopted Engineering and Right-of-way permits and other associated fees.

The fees adopted in Resolution 2022-30, included that fees and expenses set forth in the Fee Schedule may automatically be increased annually upon each October 1st over the fees and expenses during the prior 12 months, as calculated in the amount equal to the annual percentage increase of the Consumer Price Index (CPI), not to exceed 6% annually, as last reported by the U.S. Bureau of Labor Statistics. As such, the proposal includes an across the board fee increase of 3.2 % CPI for year 2023, plus 3% CPI for year 2024, for a combined total of 6.2% CPI for the past 2 years timeframe, except as otherwise noted in a particular revised fee. In addition, there are new fees proposed related to previously adopted Code text amendments for processes and other fees for services rendered by staff that the cost is not currently being captured for and include the following:

1. Amended Zoning Confirmation Fee to reflect industry standard from \$50 to \$100.
 2. Added Zoning Use Review Fee
 3. Added Landscape Permit Review and Landscape Inspection Fee
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4. Added Live Entertainment Permit Fee, Annual Renewal and Inspection Fee, Surety Fee
 5. Added Master Sign Plan Amendment Fee
 6. Executive Order Tolling Letter Fee
 7. Added Temporary Use Permit Fees from the Building Permit Fees schedule and deleted the Temporary Tenant Identification Sign reference under Temporary Use Permits to reflect text amendment revisions relating to Temporary Use Permits.
 8. Added a credit card note that payment made with credit card may incur a convenience charge for processing.

FINANCIAL INFORMATION

During a year of average permit and Development Review application activity, the amendments proposed will generate revenue to help offset expenses associated with staff efforts.

LEGAL

Resolution 2024-46 was prepared in accordance with all applicable State Statutes and City Code requirements. The document has been reviewed for legal sufficiency.

STAFF RECOMMENDATION

Approval of Resolution 2024-46, amending the Development & Neighborhood Services Department Fee schedule.