

1st Reading: January 23, 2018

2nd Reading: March 27, 2018

Adopted: March 27, 2018

Effective Date: March 27, 2018

ORDINANCE NO. 2018-01

CODE OF ORDINANCES: LAND DEVELOPMENT AMENDMENTS

AN ORDINANCE OF THE VILLAGE OF EL PORTAL, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 5, APPENDIX - PERMIT FEE SCHEDULE, ZONING FEES, IN ORDER TO AMEND THE ZONING FEES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village of El Portal has established Zoning fees in Chapter 5 of the Code of Ordinances; and,

WHEREAS, these fees have not been updated in many years, and currently are some of the lowest municipal permitting fees in Miami-Dade County; and,

WHEREAS, with an increase in interest in new development and new investments in existing buildings in El Portal, the Village requested that Planning and Zoning staff revisit the existing permit fee schedule and bring these permit fees up to date, to be more in line with other municipalities in Miami-Dade County; and,

WHEREAS, text amendments to the Appendix to Chapter 5, Permit Fee Schedule, Zoning Fees are necessary to implement the changes in these permit fees.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA:

SECTION 1. The foregoing “**WHEREAS**” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The Code of Ordinances of the Village of El Portal is hereby amended to read as set forth in “Exhibit A” to this ordinance.

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

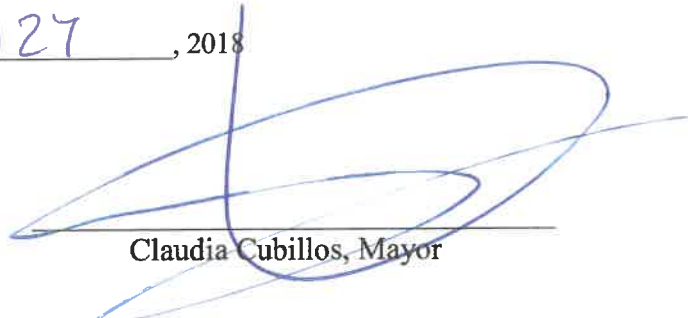
SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the Village Council that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, as amended, and known as the "Code of Ordinances" of the Village of El Portal, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 6. If the Official Code of Ordinances of the Village of El Portal Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 7. This Ordinance shall take effect immediately upon passage at Second Reading.

PASSED on first reading MARCH 27, 2018



Claudia Cubillos, Mayor

ATTEST: Yenise Jacobi
Yenise Jacobi, Village Clerk

Approved as to form and legal sufficiency:

By: Norman Powell
Norman Powell, Interim Village Attorney

Moved by: Roman

Seconded by: Dreher

Vote:

Councilperson Dreher:	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilperson Roman:	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilperson Mathis:	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Vice Mayor Nickerson.:	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Mayor Cubillos:	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)

“Exhibit A”

CHAPTER 5 - BUILDING AND BUILDING REGULATIONS

APPENDIX TO CHAPTER 5 - PERMIT FEE SCHEDULE

ZONING FEES

Section 1. Schedule of Requests; Fees.

Type of Request	Filing Fee
Variances	
—Single family	\$200.00
—Multifamily/commercial	600.00
Use exception	600.00
Signs	200.00
Single family residential	
—Alteration to existing residence	200.00
—New structure	300.00
—Accessory building	100.00
— Over 200 square feet	100.00
—Fence	100.00
—Swimming pool	100.00
—Decks	100.00
— Plus, per slip	50.00
—Carport, awnings	500.00

*Amendments to the Code of Ordinances are indicated with deletions indicated by ~~strikethrough~~, and insertions by underline.

Type of Request	Filing Fee
<u>Site Improvements Z3</u>	<u>\$300</u>
<u>Variances Z3</u>	<u>\$700</u>
<u>Site Improvements Z4 and Z5</u>	<u>\$800</u>
<u>Variances Z4 and Z5</u>	<u>\$2,000</u>
<u>Site Plan Review</u>	<u>\$0.1 p/ lot sf w/ min. \$350.00</u> <u>max. \$5,000.00</u>
<u>Special Exception</u>	<u>\$3,500</u>
<u>Zoning Change</u>	<u>\$0.75 p/ lot sf w/ min. \$350</u> <u>max. \$10,000</u>
<u>Code Text Amendment</u>	<u>\$10,000</u>
<u>Comprehensive Plan Changes</u>	<u>≤5AC=\$11,000</u> <u>≤10AC=\$22,000</u> <u>>10AC=\$44,000</u>
<u>Temporary Use Permits</u>	<u>\$1,500</u>
<u>Administrative Appeals</u>	<u>\$1,500</u>
<u>Signs</u>	<u>\$450</u>
<u>Right of Way Vacation</u>	<u>\$8,500</u>

* Processes that require Council approval shall require a Site Plan Review

* Additional Fees may apply as per Sec. 17-52 - Cost Recovery

* Processes not listed will be billed as per Sec. 17-52 - Cost Recovery

~~Multifamily residential development and commercial development. Fees are based on the number of units or size of building in square feet, whichever cost is greater, as follows:~~

~~Basic fee\$500.00~~

~~(If in violation1,500.00)~~

~~Plus site plan review1,000.00~~

~~and formula fee, as outlined below~~

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Size of Building* (square feet)	Fee
Under 400 feet	\$ <u>200.00</u>
400–5,999	—400.00
6,000–11,999	—600.00
12,000–19,999	—800.00
20,000–27,999	<u>1,000.00</u>
28,000–37,999	<u>1,200.00</u>
38,000–47,999	<u>1,400.00</u>
48,000–59,999	<u>1,600.00</u>
60,000–71,999	<u>1,800.00</u>
72,000–85,999	<u>2,000.00</u>
86,000–99,999	<u>2,200.00</u>
100,000–174,999	<u>2,400.00</u>
175,000–249,999	<u>2,600.00</u>
250,000–349,999	<u>2,800.00</u>
350,000–499,999	<u>3,000.00</u>
500,000 and over	<u>3,200.00</u>

**Applied where applicable*

*Amendments to the Code of Ordinances are indicated with deletions indicated by ~~striethrough~~, and insertions by underline.

Number of Units*	Fee
1–14	\$ 200.00
15–29	400.00
30–49	600.00
50–69	800.00
70–94	1,000.00
95–119	1,200.00
120–149	1,400.00
150–179	1,600.00
180–214	1,800.00
215–249	2,000.00
250–324	2,200.00
325–449	2,400.00
450–699	2,600.00
700–999	2,800.00
1,000 and over	3,000.00

~~*Applied where applicable.~~

Section 2. Subsequent review fees.

- ~~(a) Resubmission fee is 50% of original filing fee.~~
- ~~(b) If the application is rejected for lack of information, or the request is retracted prior to the hearing by the board, any subsequent submission shall be accompanied by a resubmission fee of 50% of the original filing fee.~~
- ~~(c) Should the project be substantially changed or modified so that, in the opinion of the planning and zoning board it represents a new project on the same property, the resubmission fee should be equal to the original filing fee scheduled, appropriate to the particular project.~~
- ~~(d) All other reviews required in addition to the original review of the same project shall be accompanied by a minimum review fee of \$100.00.~~

Section 3. Minimum review fee.

~~The minimum fee for application and plan review shall be no less than \$100.00.~~

Section 4. Refund.

~~All fees shall be deemed nonrefundable unless the refund request has been received prior to administrative review or public advertisement.~~

Section 5. Review process fees.

The following fees are required as part of the review process:

- ~~(1) Advertising; and~~
- ~~(2) Mailing costs.~~

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