



AGENDA ITEM SUMMARY FORM

Second Reading

File ID: #7969

Date: 09/29/2020

Requesting Department: Department of Planning

Commission Meeting Date: 03/25/2021

Sponsored By:

Type: Ordinance

District Impacted: All

Subject: Amend Code - Chapter 62 - Zoning and Planning Fees

PURPOSE OF ITEM:

This item is an ordinance proposing an amendment to Chapter 62-12 and 62-22 the City of Miami ("City") to make fees more easily understood and make necessary adjustments to the fees relating to planning and zoning permits provided for in Ordinance 13114, the Zoning Ordinance of the City ("Miami 21 Code").

BACKGROUND INFORMATION:

N/A

Budget Impact Analysis

Item is Related to Revenue
Item is NOT funded by Bonds

Total Fiscal Impact:

N/A

Reviewed By

City Commission	Nicole Ewan	Meeting	Completed	10/08/2020 9:00 AM
Department of Planning	Jeremy Calleros Gauger	Department Head Review	Completed	11/11/2020 9:41 AM
Office of Management and Budget	Fred Pericles	Budget Analyst Review	Completed	11/19/2020 9:30 AM
Office of Management and Budget	Christopher M Rose	Budget Review	Completed	12/01/2020 5:29 PM
City Manager's Office	Nzeribe Ihekwa	Assistant City Manager Review	Completed	12/01/2020 6:59 PM
Legislative Division	Valentin J Alvarez	Legislative Division Review	Completed	12/01/2020 7:10 PM
City Manager's Office	Arthur Noriega V	City Manager Review	Completed	12/01/2020 8:23 PM
Office of the City Attorney	Amber Ketterer	ACA Review	Completed	12/18/2020 10:40 AM
Office of the City Attorney	Barnaby L. Min	Deputy Attorney Review	Completed	12/30/2020 7:27 AM
Office of the City Attorney	Amber Ketterer	ACA Review	Completed	01/15/2021 12:27 PM
Office of the City Attorney	Barnaby L. Min	Deputy Attorney Review	Completed	01/19/2021 3:31 PM
Office of the City Attorney	Victoria Méndez	Approved Form and Correctness	Completed	01/19/2021 3:33 PM
City Commission	Todd B. Hannon	Meeting	Completed	01/28/2021 9:00 AM
Legislative Division	Valentin J Alvarez	Legislative Division Review	Completed	01/28/2021 11:51 AM
Office of the City Attorney	Amber Ketterer	ACA Review	Completed	02/09/2021 7:32 AM
Office of the City Attorney	Barnaby L. Min	Deputy Attorney Review	Completed	02/11/2021 11:36 AM
Office of the City Attorney	Victoria Méndez	Approved Form and Correctness	Completed	02/11/2021 4:25 PM
City Commission	Nicole Ewan	Meeting	Completed	02/25/2021 9:00 AM
Legislative Division	Valentin J Alvarez	Legislative Division Review	Completed	03/09/2021 10:46 AM
Office of the City Attorney	Amber Ketterer	ACA Review	Completed	03/09/2021 4:05 PM

Office of the City Attorney	Barnaby L. Min	Deputy Attorney Review	Completed	03/09/2021 4:30 PM
Office of the City Attorney	Victoria Méndez	Approved Form and Correctness	Completed	03/15/2021 12:20 PM
City Commission	Nicole Ewan	Meeting	Completed	03/25/2021 9:00 AM
Office of the Mayor	Mayor's Office	Unsigned by the Mayor	Completed	04/05/2021 2:18 PM
Office of the City Clerk	City Clerk's Office	Signed and Attested by the City Clerk	Completed	04/05/2021 2:26 PM
Office of the City Clerk	City Clerk's Office	Rendered	Completed	04/05/2021 2:26 PM



**City of Miami
Legislation
Ordinance
Enactment Number:13981**

City Hall
3500 Pan American Drive
Miami, FL 33133
www.miamigov.com

File Number: 7969

Final Action Date: 3/25/2021

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 62 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), TITLED "PLANNING AND ZONING"; MORE PARTICULARLY BY AMENDING ARTICLE II, SECTION 62-12 OF THE CITY CODE, TITLED "COMPREHENSIVE PLANNING/FEE FOR INSPECTIONS AND EXAMINATIONS OF PLANS FOR COMPLIANCE WITH THE PROVISIONS OF THE CITY ZONING ORDINANCE AND MISCELLANEOUS ZONING FEES", AND ARTICLE VI, SECTION 62-22 OF THE CITY CODE, TITLED "ZONING AND PLANNING FEES/SCHEDULE OF FEES", TO PROVIDE A COMPREHENSIVE UPDATE TO THE PLANNING AND ZONING FEES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 62 of the Code of the City of Miami, Florida, as amended ("City Code"), provides the fee schedule for planning and zoning matters, including the processing of administrative entitlements, covenants, public hearing applications, and construction plan reviews by the Planning Department and the Office of Zoning; and

WHEREAS, the City of Miami ("City") wishes to make fees more easily understood and make necessary adjustments to the fees relating to planning and zoning permits provided for in Ordinance No. 13114, the Zoning Ordinance of the City of Miami, Florida, as amended ("Miami 21 Code"); and

WHEREAS, the City wishes to update fees to have expenses incurred by specialized planning and zoning permit applications covered by fees paid by applicants rather than being subsidized by the City's general fund; and

WHEREAS, the City has analyzed the amount of time City staff is required to spend on various responsibilities; and

WHEREAS, the new proposed fees ensure that City costs do not exceed the fees charged to applicants for services, but are calibrated to more closely recover costs; and

WHEREAS, the City is committed to a yearly review of these fees so that adjustments, if necessary, are made as part of sound fiscal maintenance; and

WHEREAS, the City wishes to ensure that all existing planning and zoning permits provided for in the Miami 21 Code are specifically addressed in the Schedule of Fees under Chapter 62 of the City Code; and

WHEREAS, it is necessary to make all fees within Chapter 62 of the City Code comprehensive so there are no conflicts with any other portions of the City Code and the Miami 21 Code; and

WHEREAS, the City wishes to ensure it provides a path through which waivers for economic hardship can be provided to eligible applicants;

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

Section 1. The recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as fully set forth in this Section.

Section 2. Chapter 62/Article II of the City Code is amended in the following particulars¹:

"CHAPTER 62
PLANNING AND ZONING
* * *
ARTICLE II
COMPREHENSIVE PLANNING
* * *

Sec. 62-12. - Fee for inspections and examinations of plans for compliance with the provisions of the city zoning ordinance ~~and miscellaneous zoning fees.~~

~~(a)~~ There is hereby established the following fee per square foot of total land area encompassed in the project at the time the application is made for the construction of a new building, change of use of building, or an addition (proportional part of land area), for the purpose of examination of the plans and site development and subsequent inspections of the building site prior to the issuance of the certificate of occupancy and subsequent thereto to assure original and continued compliance with the provisions of the city zoning ordinance:

Single-family and duplexes: \$0.20 per square foot with a minimum of \$100.00.

All other uses: \$0.16 per square foot with a minimum of \$200.00.

This fee shall be in addition to the building permit fee.

~~(b) Fees for review by the office of zoning of plans for a special permit or for a public hearing:~~

~~(1) Class II, warrant, or similar permit: \$60.00.~~

~~(1)(2) Special exceptions, variance, major use special permit, or similar permit:~~

~~a. Single-family or duplex: \$105.00.~~

~~b. All of other uses per square foot of floor lot area: \$0.55.~~

~~Minimum: \$275.00.~~

~~Maximum: \$3,000.00.~~

~~This fee shall be in addition to the building permit fee.~~

¹ Words and/or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

- ~~(c) Fees for review of alcoholic beverage applications according to chapter 4 of the City Code shall be \$300.00 per application.~~
- ~~(d) Fees for review of preliminary plans prior to building permit (dry run/upfront fee) shall be \$0.05 per square foot.~~
- ~~(e) Fees for updating or changing an address shall be \$100.00 per folio number.~~
- ~~(f) Fees for zoning verification letters or related letters requiring the signature of the zoning administrator shall be \$200.00 per letter per folio number.~~
- ~~(g) Fees for assisted living facility reservations or applications shall be \$200.00 per reservation or application.~~
- ~~(h) Fees for review of legal documents for compliance with zoning and technical requirements including, but not limited to, unities of title, covenants, releases, and modifications shall be \$75.00 per document~~

~~Department of Resilience and Public Works review\$275.00~~

Section 3. Chapter 62/Article VI of the City Code is amended in the following particulars²:

“CHAPTER 62

PLANNING AND ZONING

* * *

ARTICLE VI

ZONING AND PLANNING FEES

Sec. 62-22. Schedule of Fees

- ~~(a) (1) Change of zoning district classification to:

 - a. ~~CS, T3-R, T3-L, T3-O, T4-R, T4-L, T4-O, T5-R, T5-L, T5-O, T6-R, T6-L, CI:~~
 - 1. Per square foot of net lot area \$0.50
 - 2. Minimum (assumes a 5,000 sq. ft. lot) 2,500.00
 - b. ~~T6-8, O, T6-12, O, T6-24 O, D1, D2, D3, T6-36 O, T6-48 O, T6-60 O, T6-80, CI-HD:~~
 - 1. Per square foot of net lot area \$0.70
 - 2. Minimum 5,000.00~~
- ~~(2) Application to amend the comprehensive plan \$5,000.00 per acre with a \$1,500.00 advertising surcharge per item.~~
- ~~(3) Variances and exceptions.

 - a. ~~CS, T3 (single family and duplex residential uses) \$1,000.00~~
 - b. ~~All other uses 1,500.00.~~
 - c. ~~Exception permit requiring city commission review 2,500.00~~
 - d. ~~Extension of time 750.00~~
 - e. ~~Major modifications to a previously approved major use special permit modified through the exception process.

 - 1. Per square foot of directly affected floor area \$0.50
 - Minimum of \$5,000.00 per application.
 - 2. Projects modified to include or expand phasing, per phase 10,000.00~~~~

² Words and/or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

- 3. Advertising 1,500.00
- 4. Traffic study, as needed 6,000.00
- f. ~~Minor modification to previously approved variance or exception shall equal the original fee paid.~~
- g. ~~Modifications to previously approved variance or exception found to be substantially in compliance shall equal one-half of the original fee paid.~~
- (4) ~~Application for variance as a result of a change in approved plans or as a result of a violation notice shall be charged an additional fee, per variance:~~
 - a. ~~CS, T3, T4 \$500.00~~
 - b. ~~All other residential districts 750.00~~
 - c. ~~All nonresidential districts 1,000.00~~
- (5) ~~Temporary uses and occupancies permits.~~
 - a. ~~Garage sale permit \$25.00~~
 - b. ~~Temporary occupancy permit 500.00~~
 - c. ~~Interim parking lot permit:~~
 - 1. ~~Office of zoning review 1,000.00~~
 - 2. ~~Department of resilience and public works review 525.00~~
 - d. ~~Other temporary event permits 250.00~~
- (6) ~~Waiver.~~
 - a. ~~Per square foot of floor area as defined in section 1.2\$0.05~~
 - b. ~~Minimum475.00~~
 - c. ~~Extension of time for waiver225.00~~
 - d. ~~Demolition225.00~~
 - e. ~~Modification to previously approved warrants shall equal the original fee paid.~~
 - f. ~~Modifications to previously approved warrants found to be substantially in compliance shall equal one-half of the original fee paid.~~
 - g. ~~Public hearing mail notice fees, including cost of handling and mailing per notice4.50~~
 - h. ~~Public hearing advertisement1,500.00~~
- (7) ~~Warrant.~~
 - a. ~~Signs\$150.00~~
 - b. ~~Per square foot of floor area as defined in section 1.2_0.05~~
 - c. ~~Minimum475.00~~
 - d. ~~Extension of time for warrant or Class II special permits (ZO 11000) 225.00~~
 - e. ~~Modification to previously approved warrants shall equal the original fee paid.~~
 - f. ~~Modifications to previously approved warrants found to be substantially in compliance shall equal one-half of the original fee paid.~~
 - g. ~~Public hearing mail notice fees, including cost of handling and mailing per notice_4.50~~
 - h. ~~Public hearing advertisement1,500.00~~
- (8) ~~Special area plans~~
 - a. ~~Applications for Special Area Plans pursuant to Article 3, Section 3.9, per acre\$5,000.00~~
 - b. ~~Advertising1,500.00~~
 - c. ~~Traffic study review6,000.00~~
- (9) ~~Additional fees for any required changes of zoning, variances or exceptions shall be in accord with the fees listed elsewhere in this section. Only the non-substantial amendment fee or substantially in compliance fee will be charged for an applications for non-substantial amendments and substantially in compliance fee, here defined as pertaining only to procedure, timing and closeout; a public hearing fee as in subsection (3)c. above will be charged where an application to amend a major use permit under Zoning Ordinance 11000, or a permit under Miami 21, is presented. When an exception permit~~

also requires a waiver or warrant permit, no additional fee will be charged for the subsidiary permit if the applications are concurrent.

- (10) ~~Projects requiring concurrency review pursuant to the comprehensive plan, not requiring special permits.
 - a. ~~Traffic study \$6,000.00~~
 - b. ~~School board, school concurrency processing 150.00~~~~
- (11) ~~Vacation of public right-of-way:
 - a. ~~Original submittal:
 - 1. ~~Per square foot of right-of-way \$2.00~~
 - 2. ~~Minimum 3,000.00~~
 - 3. ~~Maximum (re-submittals) 4,000.00~~~~~~
- (12) ~~Petition for public hearing not covered elsewhere in this section \$1,500.00*~~

~~Petition for public hearing not covered elsewhere in this section requiring city commission review 2,500.00*~~

~~*There shall be an additional fee of \$370.00 for the review conducted by the department of resilience and public works.~~

- (13) ~~Certain resubmittals. In the event that any application affecting land use is remanded to the city commission or any city board, department or agency by a court of competent jurisdiction or that the underlying land use legislation is declared unconstitutional, an applicant who resubmits a similar application encompassing an identical site plan shall pay an administrative fee which shall be equal to 50 percent of the then-current application fee plus all advertising and notice costs incurred by the city in relation to the resubmittal.~~
- (14) ~~Non-substantial modification not specified elsewhere in in this section shall pay an application fee equal to the original permit fee.~~
- (15) ~~Other charges. File search fees shall be set administratively, but shall not exceed comparable fees as established by Miami-Dade County. The following shall apply in addition to the permit fee to any application when so required by said permit application:
 - a. ~~Public hearing and public meeting certified mail notice fees, including cost of handling and mailing per notice\$4.50~~
 - b. ~~Public hearing and public meeting package mailing and/or courier fees; including cost of handling and mailing per package sent6.00~~
 - c. ~~Advertising1,500.00~~
 - d. ~~Traffic study review6,000.00~~
 - e. ~~Land use certification letters100.00~~
 - f. ~~Document certification, per page1.00~~~~

~~(b) The maximum fee to be charged any governmental agency other than the city for any public hearing shall be \$1,000.00 per hearing. The maximum fee to be charged any religious institution or any institution of an eleemosynary character for any change of zoning or variance shall be \$1,000.00 per hearing; any institution so applying shall submit its articles of incorporation to the director of the planning and zoning department for review prior to acceptance of the application.~~

~~(c) All fees in excess of \$25,000.00 shall be paid in the form of a certified check, cashier's check, or money order.~~

- (a) All fees are non-refundable and shall not be waived, unless otherwise provided in this Chapter. All fees are due as indicated at all times.
- (b) Fee Caps.

- (#1) The maximum application fee to be charged any governmental agency other than the City for any public hearing shall be \$1,000.00 per hearing.
- (#2) The maximum application fee to be charged any religious institution or any institution of an eleemosynary character for any change of zoning or variance public hearing shall be \$1,000.00 per hearing; Any institution so applying shall submit a copy of a recent affirmation letter from the Internal Revenue Service as well as a copy of its articles of incorporation to the director of the planning and zoning department or his/her authorized designee(s) for review prior to acceptance of the application.
- (c) Hardship Waivers for Administrative Permits and Covenants for Residential Structures.
 (1) The Hardship Waiver for Administrative Permits and Covenants for Residential Structures waives the requirement to pay the following fees: pre-application meeting fees, administrative application fees, and covenant application fees.
 (2) To be eligible for a Hardship Waiver, an Applicant must be the owner-occupant of the residential structure to be improved with the administrative permit or to be subject to the covenant being applied for. As the owner-occupant, the Applicant has a current Homestead Exemption as defined by Section 196.031, Florida Statute (2020), verifiable by Miami-Dade County Property Appraiser records.
- (cd) All fees in excess of \$25,000.00 shall be paid in the form of a certified check, cashier's check, or money order. All fees shall be paid in accordance with the City's Finance Department's procedures.
- (de) All applicants, persons, or organizations requesting a public hearing on any other item shall pay the advertisement fee and the notice fee pursuant to Section 62-22(a).
- (f) Pre-application.
 (1) All fees for Pre-application meetings shall be invoiced and collected by the Planning Department or the Office of Zoning, as applicable, from the Applicant before any work is initiated by City staff.
 (2) Required Pre-application Meeting Fees shall be paid to the City for a Pre-application meeting. The column in the below Table of Fees labeled "Required/Recommended" indicates whether a Pre-application meeting is required or recommended.
 (3) Fifty percent (50%) of the Pre-application fees will be credited towards the application fee if applied for within the required timeline, if applicable, or within ninety (90) days. After ninety (90) days, a new Pre-application meeting must be conducted and new fees must be paid.
 (4) Table of Fees.

<u>Pre-Application Meeting</u>	<u>Required/Recommended</u>	<u>Fee</u>
<u>Rezoning</u>	<u>Required</u>	<u>\$ 500.00</u>
<u>SAP Designation</u>	<u>Required</u>	<u>\$ 500.00</u>
<u>FLUM</u>	<u>Required</u>	<u>\$ 500.00</u>
<u>Variance</u>	<u>Required</u>	<u>\$ 500.00</u>
<u>MUSP</u>	<u>Required</u>	<u>\$ 500.00</u>
<u>Exception</u>	<u>Required</u>	<u>\$ 500.00</u>
<u>Special Appearance</u>	<u>Required</u>	<u>\$ 500.00</u>
<u>Historic Resource Nomination</u>	<u>Required</u>	<u>\$ 500.00</u>
<u>Temporary Use(s) on Vacant Land</u>	<u>Required</u>	<u>\$ 500.00</u>
<u>Interim Parking</u>	<u>Required</u>	<u>\$ 500.00</u>
<u>Special District Permits</u>	<u>Required</u>	<u>\$ 500.00</u>
<u>Class II Special Permit</u>	<u>Required</u>	<u>\$ 500.00</u>

<u>Warrant Modification</u>	<u>Required</u>	<u>\$ 500.00</u>
<u>Minor Modification (A Change That Does Not Modify Density, Intensity, or Height)</u>	<u>Required</u>	<u>\$ 500.00</u>
<u>Special Certificate of Appropriateness</u>	<u>Recommended</u>	<u>\$ 500.00</u>
<u>Certificate of Approval</u>	<u>Recommended</u>	<u>\$ 500.00</u>
<u>Warrant</u>	<u>Recommended</u>	<u>\$ 500.00</u>
<u>Warrant Modification</u>	<u>Recommended</u>	<u>\$ 500.00</u>
<u>Waiver</u>	<u>Recommended</u>	<u>\$ 500.00</u>

(g) Administrative Permit.

(1) All Administrative Permit fees shall be invoiced and collected by the Planning Department or the Office of Zoning, as applicable, from the Applicant before any work is initiated by City staff, unless exempted by Section 62-22(c).

(2) In the Table of Fees below, each fee has a flat fee or a minimum fee with additional fees based on square footage. Fees per square foot amount apply to the additional square footage that exceeds any indicated base fee allowance, as applicable.

(3) Table of Fees.

<u>Administrative Permit Type</u>	<u>Flat Fee</u>	<u>Minimum Fee</u>	<u>Fee Per Square Foot</u>
<u>Credit from Pre-Application Fee, If Applicable</u>	<u>\$ -250.00</u>	-	-
<u>Application Fee (Warrants) – Upfront Fee</u>	<u>\$ 200.00</u>	-	-
<u>Warrant Application Entitlement Fee (Due Prior to Issuance of Notification Letter) (Base Fee for Structures Up to 9,500 Square Feet)</u>	-	<u>\$ 475.00</u>	<u>\$ 0.05</u>
<u>Warrant – Sign Entitlement Fee (Due Prior to Issuance of Notification Letter)</u>	<u>\$ 475.00</u>	-	-
<u>Warrant - Sign Package (SF Based on Gross Sign Area)</u>	-	<u>\$ 1,500.00</u>	<u>\$ 150.00</u>
<u>Warrant – Modification</u>	<u>100% Original Fee</u>	-	-
<u>Warrant- After-The-Fact (Legalization) Single-Family/Duplex</u>	<u>\$ 950.00</u>	-	-
<u>Warrant- After-The-Fact (Legalization - All Other Uses for Structures Up to 9,500 Square Feet)</u>	<u>\$ 1,900.00</u>	-	-
<u>Warrant-After-The-Fact (Legalization - All Other Uses for Structures 9,501 Square Feet and Over) (Base Fee for Structures Up to 9,500 Square Feet)</u>	-	<u>\$ 1,900.00</u>	<u>\$ 0.15</u>
<u>Application Fee (Waivers) – Upfront Fee</u>	<u>\$ 200.00</u>	-	-
<u>Waiver - After-The-Fact (Legalization - Single-Family/Duplex)</u>	<u>\$ 950.00</u>	-	-
<u>Waiver - After-The-Fact (Legalization - All Other Uses for Structures Up to 9,500 Square Feet)</u>	<u>\$ 1,900.00</u>	-	-
<u>Waiver – After-The-Fact (Legalization - All Other Uses for Structures 9,501 Square Feet and Over) (Base Fee for</u>	-	<u>\$ 1,900.00</u>	<u>\$ 0.15</u>

<u>Structures Up to 9,500 Square Feet)</u>			
<u>Waiver – Entitlement Fee (Due Prior to Issuance of Notification Letter) (Base Fee for Structures Up to 9,500 Square Feet)</u>		\$ 475.00	\$ 0.05
<u>Waiver - Additional Waiver(s) Beyond the First in an Application (Each Additional Waiver)</u>	\$ 150.00		
<u>Waiver – Demolition Entitlement Fee (Due Prior to Issuance of Notification Letter)</u>	\$ 225.00		
<u>Waiver – Modification</u>	50% Original Fee		
<u>Alcoholic Beverage Application (Per Chapter 4 – license review)</u>	\$ 300.00		
<u>Assisted Living Facility Reservations/Applications</u>	\$ 200.00		
<u>Class II Special Permit (Zoning Ordinance 11000) (Base Fee for Structures up to 9,500 Square Feet)</u>		\$ 475.00	\$ 0.05
<u>Temporary Occupancy Permit</u>	\$ 500.00	-	-
<u>Temporary Use(s) on Vacant Land (Base Fee for Lot Area up to 9,500 Square Feet)</u>		\$ 475.00	\$ 0.05
<u>Temporary Event, Other Permit</u>	\$ 250.00	-	-
<u>Garage Sales</u>	\$ 25.00		
<u>Transfer of Development Density and/or Density (TDR; TDD): (Zoning Review)</u>	\$ 200.00		
<u>TDR and/or TDD: Certificate of Eligibility (Non-Historic)</u>	\$ 200.00		
<u>TDR and/or TDD Certificate of Transfer-Base Fee (Non-Historic)</u>	\$ 300.00		
<u>TDR: Certificate of Transfer-square footage (Non-Historic)</u>			\$ 0.06
<u>TDD: Certificate of Transfer-per dwelling unit (Non-Historic)</u>	\$ 200.00		
<u>Zoning Verification Letter Per Folio (Standard) Addressing zoning designations, permitted uses, certificates of use, and land use.</u>	\$ 200.00	-	-
<u>Zoning Verification Letter Per Folio (Complex/Non-Standard) Addressing matters pertaining to zoning not covered in the Standard Zoning Verification Letter</u>	\$ 400.00	-	-

(h) Staff Review.

(1) All fees in Staff Review shall be invoiced and collected by the Planning Department or the Office of Zoning, as applicable, from the Applicant before any work is initiated by City staff.

(2) Non-refundable plan review fees in accordance with this Chapter shall be paid upon completion of reviews and prior to issuance of any permits. In the case of an applicant cancelling an application or the City cancelling an application due to the applicant

becoming non-responsive and ultimately abandoning a permit application after plan reviews are completed, fees will be not be refundable.

(3) In the Table of Fees below, each fee has a flat fee or a minimum fee with additional fees based on square footage. Fees per square foot amount apply to the additional square footage that exceeds any indicated base fee allowance, as applicable.

(4) Projects not approved after the sixth review shall be terminated with no refund of fees

(5) Table of Fees.

Staff Review Type	Flat Fee	Minimum Fee	Fee Per Square Foot
<u>Planning Review not covered elsewhere in this Chapter</u>	\$ 295.00	-	-
<u>Zoning Review (Warrant or Similar Permit)</u>	\$ 295.00	-	-
<u>Zoning Review (Exception)-Maximum \$3,000.00 (Base Fee for Structures Up to 500 Square Feet)</u>	-	\$275.00	\$0.55
<u>Zoning Review (SAP or Similar Permits) (Base Fee for Structures Up to 500 Square Feet)</u>	-	\$275.00	\$0.55
<u>Zoning Review (Variance) (Single Family/ Duplex)</u>	\$275.00	-	-
<u>Zoning Review (Variance) (All Other Uses)-Maximum \$3,000.00 (Base Fee for Structures Up to 500 Square Feet)</u>	-	\$275.00	\$0.55
<u>Resilience & Public Works Review (Compliance with the provision of the Miami 21 Code and miscellaneous zoning fees).</u>	\$ 275.00	-	-
<u>Staff Review-Third Consecutive and Each Subsequent Review</u>	\$ 495.00	-	-
<u>Interim Parking Lot (Zoning Review)</u>	\$ 1,000.00	-	-
<u>Interim Parking Lot (Resilience & Public Works Review)</u>	\$ 525.00	-	-
<u>Joint Plans Review-Building Permits (every two hours per discipline)</u>	\$ 276.00	-	-
<u>Expedited Overnight Review Building Permits (Outside Source Review)</u>	At Cost plus 10% Administrative Fee	-	-
<u>Expedited Overnight Review Building Permits (In-House Review) (every four hours per discipline)</u>	\$350.00	-	-

(i) Covenants (also includes releases, modifications, unities of title, covenants in lieu of unity of title, and similar documents).

(1) All fees in Staff Review of Covenants shall be invoiced and collected by the Planning Department or the Office of Zoning, as applicable, from the Applicant before any work is initiated by City staff.

(2) In the Table of Fees below, each fee is a flat fee.

(3) Table of Fees.

Covenants (also includes releases, modifications, unities of title, covenants in **Flat Fee**

<u>lieu of unity of title, and similar documents)</u>			
<u>Covenant Application</u>	\$	<u>200.00</u>	
<u>Covenant Review-Zoning</u>	\$	<u>295.00</u>	-
<u>Covenant Review-Planning</u>	\$	<u>295.00</u>	-
<u>Covenant Review-Resilience and Public Works</u>	\$	<u>295.00</u>	-
<u>Covenant Recording Fee</u>		<u>At Cost</u>	

(i) Other Services

(1) The Table of Fees below is a list of various services provided by the Planning Department and Office of Zoning.

(2) Table of Fees.

<u>Administrative Function Description</u>	<u>Flat Fee</u>	<u>Minimum Fee</u>	<u>Other Fees</u>
<u>Change of Applicant/Point of Contact/Representative Fee (Per Instance)</u>	\$ <u>100.00</u>		
<u>Map and GIS Analysis/Production ("Geo-Planning Requests")</u>			\$ <u>35.00 per hour</u>
<u>Scanning Fee</u>	<u>At Cost</u>		
<u>School Concurrency Staff Processing for Public Hearings and Entitlements</u>	\$ <u>150.00</u>		
<u>School Concurrency Staff Processing of Informational Letter</u>	\$ <u>50.00</u>		
<u>School Concurrency Staff Processing of Proportionate Fair Share Mitigation Agreement</u>	\$ <u>1,000.00</u>		
<u>Traffic Study</u>	\$ <u>6,000.00</u>		
<u>Trip Generation Statement Fee pursuant to Comprehensive Plan policy TR-1.1.3 (This fee is fully creditable towards a Traffic Study if required)</u>	\$ <u>1,000.00</u>		
<u>Future Land Use Verification Letter (Per Folio)</u>	\$ <u>200.00</u>		
<u>Document Certification (Per Page)</u>	\$ <u>3.00</u>		
<u>Updating or Changing Address (Per Address)</u>	\$ <u>100.00</u>	-	-
<u>Updating or Changing Address (Per Suite/Unit or for Lien Search)</u>	\$ <u>50.00</u>	-	-
<u>Alternate Method of Closure</u>	\$ <u>200.00</u>	-	-
<u>Community Workshop, Planning Staff</u>	\$ <u>1,000.00</u>		
<u>Community Workshop, Zoning Staff</u>	\$ <u>1,000.00</u>		

- (k) (1) Application Requiring Public Hearing.
- a. No less than fifty percent (50%) of Public Hearing fees shall be invoiced and collected by the Planning Department or Office of Zoning, as applicable, from the Applicant at the time of pre-application submittal. This fee shall not be refunded once payment has been remitted to the City.
- b. The remaining balance due for a submission requiring Public Hearing shall be invoiced and collected by Hearing Boards from the Applicant no later than ten (10) business days from the date on which the application was referred to Hearing Boards with the appropriate stamp from the electronic plans review system. This fee shall not be refunded once payment has been remitted to the City.
- c. Applicants who have not remitted all of the Public Hearing fees invoiced by Hearing Boards within one hundred eighty (180) days from the date on which the application was batch-stamped in the electronic plans review system (or successor system) and referred to Hearing Boards shall have their application terminated and closed. Applicants who wish to have their projects reconsidered after an application has been terminated must submit new applications and pay all applicable fees for those new applications.
- (2) In the Table of Fees below, each fee either has a flat fee or a minimum fee with additional fees per square foot. Fees per square foot amount apply to the additional square footage that exceeds any indicated base fee allowance, as applicable.
- (3) Table of Fees.

<u>Application Fees</u>	<u>Flat Fee</u>	<u>Minimum Fee</u>	<u>Fee Per Square Foot</u>
<u>Credit from Pre-Application Fee, If Applicable</u>	<u>\$ -250.00</u>	<u>-</u>	<u>-</u>
<u>Comprehensive Plan Amendment (Small Scale – Base fee for up to 2 Acres of Lot Area)</u>	<u>-</u>	<u>\$ 12,000.00</u>	<u>\$ 0.15</u>
<u>Comprehensive Plan Amendment Non-Substantial Change Fee after Batch Stamp (All Types of Comprehensive Plan Amendments) Changes to the Following Are Included: Letter of Intent; Applicant Analysis; Supplementary Materials for Staff Analysis (All other changes, including corrections to legal descriptions and addition or subtraction of square footage to the application requires a new application and a new pre-application, subject to new fees.)</u>	<u>10% Original Application Fee</u>	<u>-</u>	<u>-</u>
<u>Comprehensive Plan Amendment – FLUM - (Expedited State Review - Base fee for up to 10 acres if this process is required due to the size of the property)</u>	<u>-</u>	<u>\$ 20,000.00</u>	<u>\$ 0.15</u>
<u>Comprehensive Plan Amendment – FLUM – (Expedited State Review – Base Fee for up to 2 acres when City exceeds statutory limit of 120 acres of FLUM amendments through Small Scale amendments in a year)</u>	<u>-</u>	<u>\$ 20,000.00</u>	<u>\$ 0.10</u>

<u>Comprehensive Plan Amendment – FLUM – For Category A Properties listed in Appendix PA-1 of the MCNP, subject to Expedited State Review - Base fee for up to 2 acres</u>		\$ 25,000.00	\$ 0.30
<u>Comprehensive Plan Amendment - FLUM - Subject to the Port of Miami River Sub-Element (Category A Property): Market Study Peer Review</u>	At Cost	-	-
<u>Comprehensive Plan Amendment – FLUM – Subject to the Port of Miami River Sub-Element (Category B Property) Base fee for up to 2 acres</u>		\$ 20,000.00	\$ 0.30
<u>Rezoning (Changes from Any Transect [Except D3] to: T3, T4, T5, CS, CI, D1, D2, D3) - Base fee for up to 2 acres</u>		\$ 12,000.00	\$ 0.15
<u>Rezoning (Changes from Any Transect [Except D3] to: T6 or CI-HD) - Base fee for up to 2 acres</u>		\$ 20,000.00	\$ 0.27
<u>Rezoning (Changes from D3 to any Transect) - Base fee for up to 2 acres</u>		\$ 25,000.00	\$ 0.30
<u>Rezoning Application Non-Substantial Change Fee after Batch Stamp (All Types of Rezoning Applications) Changes to the Following Are Included: Letter of Intent; Applicant Analysis; Supplementary Materials for Staff Analysis (All other changes, including corrections to legal descriptions and addition or subtraction of square footage to the application require a new application and a new pre-application, subject to new fees.)</u>	10% Original Application Fee	-	-
<u>Special Area Plan</u>		\$ 30,000.00	
<u>Special Area Plan, Fee per square foot in excess of 9 acres</u>			\$ 0.30
<u>Development Agreement or Modification of Development Agreement</u>	\$ 8,500.00	-	-
<u>Special Area Plan Amendment after Adoption: Modification of either the Regulating Plan or the Concept Book</u>	60% of Original Fee for each		
<u>SAP Amendment after Adoption: Change to Square Footage</u>			\$ 0.30
<u>Variance - T3 Transect</u>	\$ 1,500.00	-	-
<u>Variance - T3 Transect, Fee for Each Additional Variance Beyond the Original</u>	\$ 150.00	-	-
<u>Variance - Outside T3 Transect</u>	\$ 2,500.00	-	-
<u>Variance - Outside T3 Transect, Fee for Each Additional Variance, Per</u>	\$ 1,500.00	-	-

<u>Request</u>			
<u>Modification of Approved Variance</u>	<u>Original Fee</u>	-	-
<u>Variance – After-the-fact legalization or to remedy a violation</u>	<u>4 x 100% of the Fee</u>		
<u>Exceptions Only Requiring PZAB Review for CS or T3</u>	<u>\$ 1,500.00</u>	-	-
<u>Exceptions Requiring City Commission Review for CS or T3</u>	<u>\$ 2,500.00</u>	-	-
<u>Exception for Modification of a Major Use Special Permit not Involving Phases for the Modification</u>		<u>\$ 5,000.00</u>	<u>\$ 1.00</u>
<u>Exception for Modification of a Major Use Special Permit That Includes Phases or Expands Phases, Per Phase</u>		<u>\$ 12,000.00</u>	<u>\$ 2.50</u>
<u>Exception - Modification of Approved Exception</u>	<u>Original Fee</u>	-	-
<u>Exception (CS, T3 Transects - Single-Family/Duplex Residential Uses), Fee for Each Request, Per Folio</u>	<u>\$ 1,000.00</u>	-	-
<u>Exception (All Transects Other Than CS and T3, Only Requiring PZAB Hearing), Fee for Each Request, Per Folio</u>	<u>\$ 2,000.00</u>	-	-
<u>Exception (All Transects Other Than CS and T3, Requiring City Commission Hearing), Fee for Each Request, Per Folio</u>	<u>\$ 3,500.00</u>	-	-
<u>Exception for Projects with Affordable Housing as Defined by the Miami 21 Code – Fee for Each Request, Per Folio</u>	<u>\$ 500.00</u>	-	-
<u>Exception - Extension of Time</u>	<u>\$ 750.00</u>	-	-
<u>Exception-After-the-Fact Legalization or Remedy of a Violation</u>	<u>4 x 100% of the Fee</u>		
<u>Exception Application Non-Substantial Change Fee After Batch Stamp (All Types of Exception Applications) Changes to the Following Are Included: Letter of Intent; Applicant Analysis; Supplementary Materials for Staff Analysis. (All other changes, including corrections to legal descriptions and addition or subtraction of square footage to the application require a new application and a new pre-application, subject to new fees.)</u>	<u>10% Original Application Fee</u>		
<u>Vacation of Right-Of-Way</u>		<u>\$ 3,000.00</u>	<u>\$ 2.00</u>
<u>Other Application, Requiring Public</u>	<u>\$ 1,500.00</u>	-	-

<u>Hearing That Must Be Heard Only by PZAB</u>			
<u>Other Application, Requiring Public Hearing That Must Be Heard Only by City Commission</u>	\$ 2,500.00		
<u>Appearance for Review and Recommendation Before an Advisory Board, a Committee, or a Quasi-judicial Board for which the Planning Department or Office of Zoning are Liaisons (excludes any Code Enforcement Board)</u>	\$ 350.00		
<u>Request to Modify TOD Areas</u>	\$ 3,500.00		
<u>Remanded Application by a City of Miami Board, Per Instance</u>	50% Original Application Fee		
<u>Remanded Application by a Court of Law, Per Instance</u>	100% Original Application Fee		

(l) Noticing, Advertising, Property Posting Fees for Public Hearings.

(1) One hundred percent (100%) of fees shall be invoiced and collected by Hearing Boards from the Applicant no later than ten (10) business days from the date on which the application was referred by the Planning Department or Office of Zoning, as applicable, to Hearing Boards.

(2) Applicants who have not remitted one hundred percent (100%) of fees within one hundred eighty (180) days from the date on which the application was referred to Hearing Boards shall have their application terminated and closed.

(3) Public Hearing Mail Notice, Newspaper Advertising, and Property Posting fees must be paid before being scheduled on an agenda.

(4) For every instance in which a decision-making body indefinitely defers an item at the request of an applicant, whether solely or jointly, the applicant shall bear the cost of all noticing, advertising, and posting of properties, as applicable.

(5) For every instance in which a decision-making body makes a motion initiated by the City to indefinitely defer an item, the Clerk to the Board shall read the following fiscal impact statement on the record before the Board takes its vote: "Pursuant to Section 62-22 of the City Code, an indefinitely deferred action initiated by the City will cost the City mail noticing, advertising, and posting of properties, as applicable."

(6) Table of Fees.

Noticing, Advertising, Property Posting	Fee
<u>Public Hearing - Mail Notice, per notice, per hearing</u>	<u>\$4.50</u>
<u>Public Hearing - Newspaper Advertising, per application, per hearing</u>	<u>\$1,500.00</u>
<u>Public Hearing - Property Posting, per application, per hearing</u>	<u>\$200.00</u>
<u>Public Hearing - Property Posting, per posting, per hearing</u>	<u>\$45.00</u>
<u>Application Public Hearing - Deferral or Continuance, applicant's 2nd request at PZAB (Maximum fee \$1,000.00)</u>	<u>Initial Application Fee</u>
<u>Application Public Hearing - Deferral or Continuance, applicant's 1st request at City Commission (Maximum fee \$1,000.00)</u>	<u>Initial Application Fee</u>
<u>Application Public Hearing Indefinite Deferral - Mail Notice, per notice, per hearing</u>	<u>\$4.50</u>
<u>Application Public Hearing Indefinite Deferral - Newspaper Advertising, per application, per Indefinite Deferral</u>	<u>\$1,500.00</u>

Application Public Hearing Indefinite Deferral - Property Posting, per application, per hearing	\$200.00
Application Public Hearing Indefinite Deferral - Property Posting, per posting, per hearing	\$45.00

(m) Permits shall not be issued for a property with any outstanding Code Compliance violations, building violations, or any relevant City lien or invoice due and owing to the City. Permits required to cure life safety issues, permits which are required to bring outstanding violations into compliance, or permits for any properties owned by a governmental entity are exempted from this prohibition.

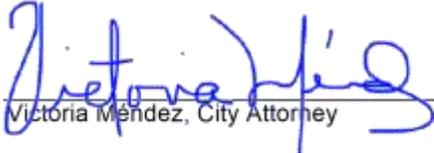
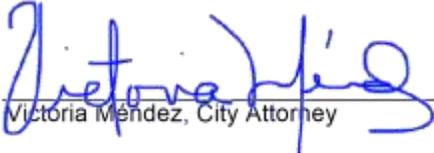
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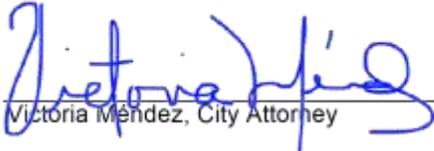
Section 4. This Ordinance shall apply to all applications, appeals, and requests not deemed complete prior to the effective date of this Ordinance.

Section 5. If any section, part of a section, paragraph, clause, phrase, or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 6. This Ordinance shall become effective thirty (30) days after final reading and adoption thereof.³

APPROVED AS TO FORM AND CORRECTNESS:

 Victoria Mendez, City Attorney 1/19/2021  Victoria Mendez, City Attorney 2/11/2021

 Victoria Mendez, City Attorney 3/15/2021

³ This Ordinance shall become effective as specified herein unless vetoed by the Mayor within ten (10) days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated herein, whichever is later.

From: [Santana, Miriam](#)
To: [Noriega, Art](#)
Cc: [Regalado, Jose](#); [Fernandez-Stiers, Melissa](#); [Ihekwaba, Nzeribe](#); [Garcia-Pons, Cesar](#); [Santana Jr., Juvenal](#); [Agenda Office-DI](#); [Zamora, Olga](#)
Subject: Public Comments Email
Date: Thursday, December 31, 2020 11:29:46 AM
Attachments: [image001.png](#)

Good afternoon Mr. Manager,

Please be advised that there were no emails received for the below-referenced items during the 60-day public comment period, which was from September 30, 2020 - November 29, 2020

These items are scheduled to be heard for First Reading on the January 14, 2021.

7969 – Amend Code - Chapter 62 - Zoning and Planning Fees (Planning)

7849 – Amend Code - Chapter 54 - Streets and Sidewalks (RPW)

Regards,

Miri

Miriam M. Santana, Agenda Coordinator
Miami Riverside Center, Office of Agenda Coordination
444 SW 2nd Avenue, 10th Floor, Miami, FL 33130

From: [Santana, Miriam](#)
To: [Noriega, Art](#)
Cc: [Fernandez-Stiers, Melissa](#); [Garcia-Pons, Cesar](#); [Agenda Office-DL](#)
Subject: Public Comments email - Amend Code - Chapter 62 - Zoning and Planning Fees
Date: Tuesday, March 16, 2021 9:06:00 PM

Good evening Mr. Manager,

Please be advised that there were no emails received for the below-referenced item during the 15-day public comment period, which was from February 26, 2021 - March 13, 2021.

This item is scheduled to be heard for Second Reading on the March 25, 2021 City Commission Meeting.

7969 - Amend Code - Chapter 62 - Zoning and Planning Fees

Regards,
Miri