

Agenda Item #: 6-F-1

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: June 2, 2009

Consent     Regular  
 Workshop     Public Hearing

Department:

Submitted by: Engineering and Public Works  
Submitted For: Land Development Division

**I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to:**

- A) Approve a new portion of the Land Development schedule of user fees to allow charges and establish a schedule of the charges for the review and processing time from the Roadway Production and the Traffic Engineering Divisions to be added to the cost of right-of-way construction permits and services; and
- B) Adopt a Resolution revising a schedule of user fees to more closely match actual Palm Beach County (County) costs (including the Engineering Department and County Attorney's Office) in the review and preparation of various Land Development permits and services and to include the addition of a fee schedule for the Roadway Production and Traffic Engineering Divisions.

**SUMMARY:** Approval of these actions will allow for and establish a new fee schedule to defray the plan review costs of the Roadway Production and the Traffic Engineering Divisions, for the required review of plans and permit applications proposing construction within County rights-of-way. Approval will also update the current Land Development Fee Schedule to bring fees up to date with current costs, as well as to accommodate the review cost of selected items from the County Attorney's Office. These actions will repeal the latest fee revision, Resolution R99-1071, which was adopted in June, 1999.

Countywide (MRE)

**Background and Justification:** The last fee adjustment for the Land Development Division was in accordance with Resolution R99-1071, adopted June 8, 1999. County costs for providing Land Development related services to the right-of-way users and the development community have increased significantly. The Consumer Price Index increased approximately 29% in this same time frame. The Office of Financial Management and Budget Department (OFMB) conducted a comprehensive personnel time expenditure study of Engineering staff time, both in the review of the permit applications, and in the field review of the construction of the permitted work. The study indicated that an increase in fees is justified, and necessary to adequately capture the cost of plan review and permit processing. (Continued on Page 3)

**Attachments:**

- 1. Resolution
- 2. Resolution R1999-1071
- 3. Ordinance No. 1987-012, pages 10-12
- 4. Letter from Florida Engineering Society dated 4/09/2009
- 5. Comparison Chart - Old Fees versus Proposed Fees

Recommended by: \_\_\_\_\_

*[Signature]*  
Division Director

24 May 2009  
Date

Approved by: \_\_\_\_\_

*[Signature]*  
County Engineer

5/27/09  
Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	(35,000)	(140,000)	(140,000)	(140,000)	(140,000)
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
<b>NET FISCAL IMPACT</b>	<b>(35,000)</b>	<b>(140,000)</b>	<b>(140,000)</b>	<b>(140,000)</b>	<b>(140,000)</b>

# ADDITIONAL FTE POSITIONS (Cumulative)      0      0      0      0      0

Is Item Included In Current Budget?    Yes \_\_\_ No X

Budget Account No.: Fund 0001 Agency 360 Org. 5220 Object 2904  
                                  Fund 0001 Agency 360 Org. 5220 Object 2903  
                                  Fund 3500 Agency 360 Org. 4260 Object  
                                  Fund 1200 Agency 360 Org. 3220 Object

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

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**C. Departmental Fiscal Review:**      atwillhite

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

me ll 5/29/09      Jim J. Jacob 5/29/09  
 OFMB      Contract Dev. and Control

**B. Legal Sufficiency:**      JP 5/28/09

Monlene R. [Signature] 6/11/09  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

This summary is not to be used as a basis for payment.

## **Background and Justification (Continued from Page 1)**

The OFMB Department study recommended adopting a fee schedule employing the recommended increases. The amount of additional revenue anticipated by the OFMB Fee Study and the County staff to be produced by this adjustment, at the rate of revenue production in 2007, would increase the revenue approximately 19.5%. The Roadway Production and the Traffic Engineering Divisions incur costs reviewing plans of proposed modifications to County rights-of-way. The Right-of-Way Construction Permit Fee currently in place and collected by the Land Development Division was established to offset Land Development Division and Construction Coordination Division staff costs, and does not offset any Roadway Production or Traffic Engineering Division plan review costs. The proposed additional Plan Review Fee Schedule is a graduated fee schedule, based upon the scope of the proposed improvements, with several categories of review. The review fee would continue to be waived for governmental entities. For any required structural reviews, bridges, etc., the applicant, whether a developer or governmental entity, would also be required to retain the services of one of the County's approved annual consultants to review the proposed modifications on the County's behalf.

The County Attorney's Office incurs cost reviewing legal documents for the Land Development Division. The fees currently in place for these development activities does not offset any cost of document review conducted by the County Attorney's Office.

In accordance with Section 22.2 (Land Development Fees) Palm Beach County Codes and Ordinances, the Land Development staff met separately with the Board of Directors of the Florida Engineering Society and with the Government Affairs Board of the Gold Coast Builders Association. Both organizations have had opportunities to review and comment on the proposed fee schedules. A letter of general support was received from the Florida Engineering Society, attached for review.

The Board of County Commissioners has the ability to adjust fees by resolution as per the attached pages 10-12 from Ordinance 87-12.

Seven specific areas, including plat waivers and residential plat reviews, will have the fees increased \$100-\$400 to offset the costs of legal reviews.

**RESOLUTION NO. R-2009-\_\_\_\_\_**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REVISING A SCHEDULE OF USER FEES TO REFLECT CURRENT DAY FUNCTIONS AND SERVICES, TO MORE CLOSELY MATCH ACTUAL COUNTY COSTS. THIS ACTION WILL REPEAL THE LATEST FEE REVISION RESOLUTION R1999-1071**

**WHEREAS**, the Subdivision and Required Improvements Regulations of Palm Beach County, Florida, Ordinance No. 73-4, as amended by the Unified Land Development Code, Article 11, Subdivision, Platting, and Required Improvements, requires that the County Engineer review applications for plat waiver requirements and special exception subdivisions; review, process and inspect applications for preliminary plat and final plat approvals; review, process and inspect construction and development under said applications; review and make recommendations to the Zoning Commission for variances and exceptions to the Subdivision and Required Improvements Regulations of Palm Beach County, Florida; and review, process and inspect rural subdivisions and other matters pursuant to the Subdivision and Required Improvements Regulations of Palm Beach County, Florida; and

**WHEREAS**, the Palm Beach County Public Right-of-Way Permit Requirement and Fee Schedule Ordinance, No. 2001-063, requires that the Engineering Department review, process and inspect applications and construction within public rights-of-way and establish a fee schedule for same; and

**WHEREAS**, other ordinances and the Unified Land Development Code of Palm Beach County, including the Palm Beach County Structure Moving Ordinance No. 72-9, as amended, requires reviews, processing and inspections by the Engineering Department in the course of the procedures established by such ordinances; and

**WHEREAS**, the Land Development Division of Engineering and Public Works in conjunction with the Office of Financial Management and Budget has conducted a study of the fees currently in effect and the resources used to perform the required reviews, tasks, and processes, and has found that it is necessary to revise certain fees to appropriately charge those seeking to construct and develop in Palm Beach County; and

**RESOLUTION NO. R-2009-\_\_\_\_\_**

**WHEREAS**, it is appropriate and desirable that the persons benefitting from and utilizing the services of the Land Development Division of the County Engineer fund certain operations of the Land Development, Traffic Engineering, and Roadway Production divisions and the County Attorney's office;

**WHEREAS**, on June 8, 1999, the Board of County Commissioners adopted Resolution R1999-1071, authorizing a schedule of fees to be charged by the Engineering Department;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

Section 1. Fee Schedule Amendment

The Palm Beach County Land Development Fee Schedule, for publications, documents, applications, reviews, permits and services of the Land Development Division, is hereby amended as follows:

A. Fees pursuant the Resolution R1999-1071, establishing fees pursuant to the Unified Land Development Code, Article 11, Subdivision, Platting, and Required Improvements are hereby amended as follows:

<u>Item</u>	<u>Amount</u>
1. Application for Plat Waiver.	\$600
2. Application for Required Improvements Installation Waiver.	\$375
3. Application for Technical Compliance:	
a. Plat and plans for residential subdivision, including Required Improvements Installation Waiver for one or more improvements.	\$1,600 plus \$25 per unit
b. Boundary Plat establishing single residential lot for single-family or multi-family or commercial/industrial use (no required improvements).	\$1,400
c. Plat and plans for commercial/industrial subdivision, including Required Improvements Installation Waiver for one or more improvements.	\$1,600
4. Applications for Land Development Permit:	
a. Application for Land Development Permit (amount based on the estimated construction cost of the required improvements, less the cost of water and sewer improvements; the "estimated cost").	\$300 + 2% of the estimated cost
b. Application for extension of time to construct required	\$450

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improvements.

- |  |   |
|--|---|
| c. Application for reduction of surety posted for construction of required improvements including paving, drainage, water and sewer. | \$450                                     |
| 5. Application to revise Land Development Permit (Developer, Surety, Guaranty, Developer's Engineer, Construction Plans).            | \$450                                     |
| 6. Application to review minor changes in approved construction plans or for approval of landscaping within street tract(s).         | \$75 first sheet<br>\$45 each add'l sheet |
| 7. Variance application pursuant to ULDC Secs. 8.30 and 5.7.   | \$1,100 plus<br>\$79 for ad               |
| 8. Application for review of removable structures or plantings in lake maintenance easements (recordation done by applicant).        | \$175 per lot                             |
| 9. Application for review of removable structures on drainage easements.   | \$125 per lot                             |
| 10. Application for Abandonment of rights-of-way, easements, etc.  | \$1600+<br>Privilege Fee                  |

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<u>Item</u>	<u>Amount</u>
1. Installation of gravity sanitary and storm sewer, including appurtenant manholes and/or catch basins:	
a. First 500 lineal feet or less.	\$200
b. Each additional 500 lineal feet or fraction thereof.	\$50
2. Installation of all other underground facilities including, but not limited by the following: sanitary force, water, gas, liquid or semi-liquid pipe lines, including appurtenant manholes and/or catch basins:	
a. First 500 lineal feet or less.	\$200
b. Each additional 500 feet or fraction thereof.	\$50
3. Construction or installation of individual catch basins, manholes or junction boxes not erected in connection with and installation of 1 or 2 above.	\$100
4. All underground crossings of paved road widths up to 25' in paving width (open cut):	
a. For pipe sizes 24" or less in diameter.	\$150 per cut
b. For pipe sizes over 24" and up to 48" in diameter.	\$225 per cut
c. For pipe sizes in excess of 48" in diameter.	\$300 per cut
5. All underground crossings of paved public roadways over 25' in paving width (open cut):	
a. For pipe sizes 24" or less in diameter.	\$300 per cut
b. For pipe sizes over 24" and up to 48" in diameter.	\$450 per cut
c. For pipe sizes over of 48" in diameter.	\$600 per cut
6. All underground jack and bore crossing of paved public roadway based on width of paving, including median:	
a. For pipe sizes 24" or less in diameter.	\$3.50 per ft
b. For pipe sizes over 24" and up to 48" in diameter.	\$6.50 per ft
c. For pipe sizes in excess of 48" in diameter.	\$9 per ft
7. Installation of pole line for overhead facilities:	
a. First 500 lineal feet or less.	\$200
b. Each additional 500 feet or fraction thereof.	\$50

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- 8. Turnouts:
  - a. Commercial turnout connection. \$500
  - b. Residential turnout. \$175
  - c. Where culverts are used with turnout. \$5 per ft
  
- 9. Street connections:
  - a. Paved street connection for tying into existing and/or new County roads. \$500 each
  - b. Where culverts are used with street connections. \$5 per ft
  
- 10. Construction of elevated or submerged facilities crossing County owned canals or waterways. \$100
  
- 11. Landscaping within public right-of-way. \$400+ 5% of project cost
  
- 12. All other types of construction within or upon public right-of-way, does not include landscaping. 3% of cost
  
- 13. Modification of any Permit requested after issue of the Permit. \$100
  
- 14. Extension of any Permit. \$100

Provided, however, that the minimum fee for any application shall not be less the cost of the Permit or One Hundred Fifty dollars (\$150) whichever is less. The minimum fee shall be paid at time of application, and any balance due shall be paid prior to issuance of the permit.

**Fee Schedule - Moving of Structures**

- 1. Fees pursuant to Section 42-45, Fees, of Article III, Moving of Structures, Chapter 42, Code of Laws and Ordinances of Palm Beach County, Florida (72-9, as amended):
  - Per Structure. \$500



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**Miscellaneous Services and Applications**

- |  |   |        |
|--|---|--------|
| 1.   | Application for Base Building Line Waiver per Section 200.2 of the Zoning Code of Palm Beach County and Standard Building Code, as amended. | \$75   |
| 2. Drainage Plan Review for Residential or Commercial Development: |   |        |
| a.   | 2 acres   | \$400  |
| b.   | 2.1 – 5 acres   | \$800  |
| c.   | 5.1 – 10 acres  | \$1000 |
| d.   | 10.1 + acres  | \$1300 |

**New Plan Review Fees for Traffic Engineering and Roadway Production Division**

PLAN REVIEW FEE SCHEDULE				
Category	Description	Roadway Production Division	Traffic Division	Total Fee
1	Driveway Connection - Minor (less than 500 ADT) (not applicable to individual single family residential driveways)	\$0	\$500	\$500
1	Driveway Connection - Intermediate (500 - 2000 ADT)	\$0	\$650	\$650
1	Driveway Connection - Major (greater than 2000 ADT)	\$0	\$1,000	\$1,000
1	Bridge Widening/Replacement	\$1,000	\$0	\$1,000
2	Turn Lane Addition (not requiring through lane transition, impacting high side of roadway)	\$500	\$1,000	\$1,500
2	Turn Lane Addition (not requiring through lane transition, impacting low side of roadway)	\$1,900	\$1,500	\$3,400
3	Turn Lane Addition (through lane transition required)	\$3,600	\$2,500	\$6,100
4	Through Lane Addition	\$1,050 per 0.1 Lane Mile (0.3 Lane Mile Min Charge)		

**Fee Schedule Notes**

- For non-Thoroughfare Roadways, only the Traffic Division Fee shown above will apply. For Category 4 reviews, the Traffic Division Fee is \$350 per 0.1 Lane Mile.
- For Category 1 reviews, payment of the full review fee will be required prior to beginning review.
- For all reviews other than Category 1 reviews, payment of an initial review fee of \$1,000 will be required prior to beginning review. Payment of the balance of the review fee will be due upon issuance of the Land Development Right-of-Way Permit.

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4. For Category 2 reviews, the additional review fee for each additional turn lane shall be 50% of the Category 2 fee.
5. For Category 3 reviews, if both intersecting roadways require transition, the total review fee shall be 150% of the Category 3 fee.
6. Category 4 review fees are inclusive of Category 2 and 3 reviews and Bridge Widening/Replacement review (except structural review).

**NOTES CONCERNING POTENTIAL ADDITIONAL COSTS**

- A. Bridge Widening/Replacement review fee does not include the cost for structural review on behalf of Palm Beach County. It will be necessary to directly contract with a current Palm Beach County Structural Annual Consultant for these review services.
- B. These fees were established based upon man-hour estimates for typical projects. For projects including, but not limited to, resolution of significant issues, acquisition of property rights, conceptual designs, or alignment studies, payment of review fees in addition to those shown above will be required to compensate the County for the additional staff costs incurred.
- C. For projects to be bid and constructed by the County, payment of staff costs for bidding and Construction, Engineering and Inspection costs will be required. These costs are set at \$5,000 for staff costs for bidding, and 8% of the estimated construction cost for Construction, Engineering and Inspection costs.

**SECTION 2. REPEAL OF LAWS, RESOLUTIONS AND POLICIES IN CONFLICT.**

All resolutions, administrative orders, or policies in conflict with this resolution, including but not limited to Resolution R92-458 and 1999-1071 are hereby repealed or shall be of no further force and effect.

**SECTION 3. SEVERABILITY.**

If any section, paragraph, sentence, clause, phrase or word of this Resolution is for any reason held by the County to be unconstitutional, invalid, inapplicable, inoperative, or void, such holding shall not affect the remainder of this Resolution.

**RESOLUTION NO. R-2009-\_\_\_\_\_**

**SECTION 4. EFFECTIVE DATE.**

This Resolution shall become effective upon adoption by the Board of County Commissioners.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote was as follows:

Commissioner John F. Koons, Chairman

Commissioner Burt Aaronson, Vice Chairman

Commissioner Karen T. Marcus

Commissioner Shelley Vana

Commissioner Steven L. Abrams

Commissioner Jess R. Santamaria

Commissioner District 7

The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

**PALM BEACH COUNTY, FLORIDA BY  
ITS BOARD OF COUNTY COMMISSIONERS**

**Sharon R. Bock, Clerk & Comptroller**

**BY: \_\_\_\_\_  
Deputy Clerk**

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

**BY: \_\_\_\_\_  
County Attorney**



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	1999	2000	2001	2002	2003
Capital Expenditures	\$3,750	\$3,750	-0-	-0-	-0-
Operating Costs	\$12,063	\$87,687	\$91,196	\$94,843	\$98,636
External Revenues	(\$55,387)	(\$221,550)	(\$221,550)	(\$221,550)	(\$221,550)
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
<b>NET FISCAL IMPACT</b>	<b>(\$43,324)</b>	<b>(\$133,863)</b>	<b>(\$130,355)</b>	<b>(\$126,707)</b>	<b>(\$122,914)</b>

# ADDITIONAL FTE

POSITIONS (Cumulative)      2                      2                      2                      2                      2

Is Item Included In Current Budget?    Yes \_\_\_\_\_ No   X  

Budget Account No.:

Fund	Agency	Org.	RevSrc\Object Reporting Category
118	360	5220	2903&4 \Var

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

Increased Fees

**C. Departmental Fiscal Review:** \_\_\_\_\_

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

<p><u>H. Beynon</u> 6.4.99 SIR 61377      OFMB</p>	<p><u>Marty Mc Gee</u> Contract Dev. and Control This item complies with current County policies. MEM 6/7/99</p>
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**B. Legal Sufficiency:**

Martina R. [Signature]  
Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
Department Director

This summary is not to be used as a basis for payment.

**Background and Justification: (Cont'd.)**

Based upon these results and present day/anticipated future public service demands, a complete fee upgrade was deemed necessary.

The Board has the ability to adjust fees by resolution as per the attached page (10) from Ordinance 87-12.

In order to bring the fees into conformance with present day work activity costs and provide a better quality of service (more timely) to the public in keeping with current day standards and demands, it was determined that a three part revision was necessary. This is: 1) increase the existing fees in the Permit Section to attempt to accommodate the salaries for two (2) additional staff personnel, 2) revise the existing fees in order to more closely reflect present day work costs, and 3) add new fees for Zoning Petition review and Development Review Committee review. This revision meets the necessary criteria. One of the two positions has been recently filled with interim funding due to the dire need to efficiently respond to permit applications. However, that funding is not available after the end of the current fiscal year. If approved, the additional staff position will be hired as soon as possible, as the fee increase will take place immediately.

In accordance with Sec. 22.2 (Land Development Fees) Palm Beach County Codes and Ordinances, the Land Development staff met separately with the Florida Engineering Society and Gold Coast Builders Association. Both organizations agreed to support the requested staff and the proposed fee revision. Their letters are attached.

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF PALM BEACH COUNTY, FLORIDA, ESTABLISHING A  
SCHEDULE OF FEES PURSUANT TO THE PALM BEACH  
COUNTY LAND DEVELOPMENT FEE SCHEDULE ENABLING  
ORDINANCE NO. 87-12, ADOPTED JULY 14, 1987;  
REPEALING RESOLUTION R-92-458

WHEREAS, the Subdivision and Required Improvements Regulations of Palm Beach County, Florida, Ordinance No. 73-4, as amended, requires that the County Engineer review applications for plat waiver requirements and special exception subdivisions; review, process and inspect applications for preliminary plat and final plat approvals; review, process and inspect construction and development under said applications; review and make recommendations to the Board of Adjustment for variances and exceptions to the Subdivision and Required Improvements Regulations of Palm Beach County, Florida; and review, process and inspect rural subdivisions and other matters pursuant to the Subdivision and Required Improvements Regulations of Palm Beach County, Florida; and

WHEREAS, the Palm Beach County Public Right of Way Permit Requirement and Fee Schedule Ordinance, No. 76-2, as amended, requires that the Engineering Department review, process and inspect applications and construction within public rights-of-way and establish a fee schedule for same; and

WHEREAS, other ordinances of Palm Beach County, including but not limited to the Palm Beach County Zoning Code, Ordinance No. 90-11 as amended, and the Palm Beach County Structure Moving Ordinance No. 72-3, as amended, requires reviews, processing and inspections by the Engineering Department in the course of the procedures established by such ordinances; and

WHEREAS, the Land Development Division of Engineering and Public Works has conducted a study of the fees currently in effect and the resources used to perform the required reviews, tasks and processes, and has found that it is necessary to revise certain fees and implement two (2) new fees to appropriately charge those seeking to construct and develop in Palm beach County; and

WHEREAS, it is appropriate and desirable that the persons benefitting from and utilizing the services of the Land Development Division of the County Engineer fund the operations of the Land Development Division;

RESOLUTION NO. R-99- 1071

WHEREAS, on July 14, 1987 the Board of County Commissioners adopted Ordinance No. 87-12 authorizing it to set a schedule of fees to be charged by the Engineering Department;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. Fee Schedule Established.

The Palm Beach County Land Development Fee Schedule, for publications, documents, applications, reviews, permits and services of the Land Development Division, is hereby established as follows:

A. Fees pursuant to the Subdivision and Required Improvements Regulations of Palm Beach County, Florida, Appendix B of the Code of Laws and Ordinances of Palm Beach County (Ordinances 76-2 and 90-11, as amended):

<u>Item</u>	<u>Amount</u>
1. Application for Plat Waiver	\$300
2. Application for Required Improvements Installation Waiver	\$300
3. Application for Technical Compliance:	
a. Plat and plans for residential subdivision, including Required Improvements Installation Waiver for one or more improvements.	\$1,000 plus \$20 per unit
b. Boundary Plat establishing single residential lot for single-family or multi-family use (no required improvements).	\$800
c. Plat and plans for commercial/industrial subdivision; including Required Improvements Installation Waiver for one or more improvements.	\$1000
d. Boundary Plat establishing single commercial/industrial lot (no required improvements).	\$800
e. Construction plans for improvements in conjunction with approved Plat Waiver.	\$50
4. Applications for Land Development Permit:	
a. Application for Land Development Permit (amount based on the estimated construction cost of the required improvements, less the cost of water and sewer improvements; the "estimated cost").	\$100 + 2% of the estimated cost
b. Application for extension of time to	



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construct required improvements.	\$350
c. Application for reduction of surety posted for construction of required improvements including paving, drainage, water and sewer.	\$350
5. Application to revise <u>Land Development Permit</u> (Developer, Surety, Guaranty, Developer's Engineer, Construction Plans).	\$100
6. Application to review <u>minor changes in approved construction plans</u> or for approval of landscaping within street tract(s).	\$50 first sheet \$25 each add'l sheet
7. Variance application pursuant to ULDC Secs. 8.30 and 5.7.	\$550 plus \$75 for ad
8. Application for review of removable structures or plantings in lake maintenance easements (recordation done by applicant).	\$125 per lot
9. Application for review of removable structures on drainage easements	\$75.00
10. Application for Abandonment of rights-of-way, easements, etc.	\$1200+ Privilege Fee

Fee Schedule - Public Rights-of-Way

Fees pursuant to Section 42--62, Fees, of Article IV, Public Rights-of-Way Permit Requirement and Fee Schedule, Chapter 42, Code of Laws and Ordinances of Palm Beach County, Florida (Ordinance 76-2, as amended)

<u>Item</u>	<u>Amount</u>
1. Installation of gravity sanitary and storm sewer, including appurtenant manholes and/or catch basins:	
a. First 100 lineal feet or less.	\$70
b. Next 400 lineal feet or fraction thereof.	\$40
c. Each additional 500 lineal feet or fraction thereof.	\$30
2. Installation of all other underground facilities including, but not limited by the following: sanitary force, water, gas, liquid or semi-liquid pipe lines, including appurtenant manholes and/or catch basins:	
a. First 200 lineal feet or less.	\$48
b. Next 300 lineal feet or fraction thereof.	\$24
c. Each additional 500 lineal feet or	\$18

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- fraction thereof.
- |    |  |               |
|----|--|---------------|
| 3. | Construction or installation of individual catch basins, manholes or junction boxes not erected in connection with and installation of 1 or 2 above. | \$60 each     |
| 4. | All underground crossings of paved road of widths up to 25' of paving (open cut):  |               |
| a. | For pipe sizes 18" or less in diameter.  | \$120 per cut |
| b. | For pipe sizes over 18" and up to 48" in diameter.   | \$180 per cut |
| c. | For pipe sizes in excess of 48" in diameter.   | \$240 per cut |
| 5. | All underground crossings of paved roads over 25' in paving width (open cut):  |               |
| a. | For pipe sizes 18" or less in diameter.  | \$240 per cut |
| b. | For pipe sizes over 18" and up to 48" in diameter.   | \$360 per cut |
| c. | For pipe sizes in excess of 48" in diameter.   | \$480 per cut |
| 6. | All underground jack and bore crossings of paved public roadways based on width of paving, including median:   |               |
| a. | For pipe sizes 18" or less in diameter.  | \$2.50 per ft |
| b. | For pipe sizes over 18" and up to 48" in diameter.   | \$5 per ft    |
| c. | For pipe sizes in excess of 48" in diameter.   | \$7 per ft    |
| 7. | Installation of pole line for overhead facilities:   |               |
| a. | First 200 lineal feet or less.   | \$100         |
| b. | Next 300 lineal feet or fraction thereof.  | \$60          |
| c. | Each additional 500 lineal feet or fraction thereof.   | \$40          |
| 8. | Turnouts:  |               |
| a. | Commercial turnout connection.   | \$400         |
| b. | Residential turnout.   | \$125         |
| c. | Where culverts are used with turnout.  | \$3 per ft    |
| 9. | Street connections:  |               |
| a. | Paved street connection for tying into   | \$400 each    |

- existing and/or new County roads. \$3 per ft
- b. Where culverts are used with street connections. \$60
- 10. Construction of elevated or submerged facilities crossing County owned canals or waterways. \$350+ 5% of cost
- 11. Landscaping within public right-of-way. 3% of cost
- 12. All other types of construction within or upon public right-of-way, does not include landscaping.

Provided, however, that the minimum fee for any application shall not be less than twenty-five dollars (\$25). The minimum fee shall be paid at time of application, and any balance due shall be paid prior to issuance of the permit.

**Fee Schedule - Moving of Structures**

- 1. Fees pursuant to Section 42-45, Fees, of Article III, Moving of Structures, Chapter 42, Code of Laws and Ordinances of Palm Beach County, Florida (Ordinance 72-8, as amended):

Per Structure \$400

**Miscellaneous Services and Applications**

- 1. Application for Base Building Line Waiver per Section 200.2 of the Zoning Code of Palm Beach County and Standard Building Code, as amended. \$50
- 2. Drainage Plan Review required prior to the issuance of a building permit:
  - a. Commercial.
    - ≤1 ac \$225
    - 1.1 - 2 ac. \$350
    - 2.1 - 5 ac. \$550
    - 5.1 - 10 ac. \$850
    - 10.1 + ac. \$1150
  - b. Residential.
    - ≤1 ac \$225
    - 1.1 - 2 ac. \$350
    - 2.1 - 5 ac. \$550
    - 5.1 - 10 ac. \$850
    - 10.1 + ac. \$1150

**Zoning**

- 1. Zoning Petition Applications
  - Application - \$200+ \$15 per acre
  - Maximum - 300 acres or \$4,700
  - Communication Towers - \$150 flat rate
- 2. Development Review Committee
  - Application - \$130

(DRC) Applications

flat rate  
Postponement Fee - \$25

SECTION 2. REPEAL OF LAWS, RESOLUTIONS AND POLICIES IN CONFLICT.

All resolutions, administrative orders, or policies in conflict with this resolution, including but not limited to Resolution R-92-458 are hereby repealed or shall be of no further force and effect.

SECTION 3. SEVERABILITY.

If any section, paragraph, sentence, clause, phrase or word of this Resolution is for any reason held by the County to be unconstitutional, invalid, inapplicable, inoperative, or void, such holding shall not affect the remainder of this Resolution.

SECTION 4. EFFECTIVE DATE.

This Resolution shall become effective upon adoption by the Board of County Commissioners.

The foregoing Resolution was offered by Commissioner Marcus, who moved its adoption. The motion was seconded by Commissioner McCarty, and upon being put to a vote, the vote was as follows:

- MAUDE FORD LEE, CHAIR - Aye
- WARREN H. NEWELL, VICE CHAIRMAN - Aye
- KAREN T. MARCUS - Aye
- BURT AARONSON - Aye
- CAROL A. ROBERTS - Aye
- MARY McCARTY - Aye
- TONY MASILOTTI - Absent

The Chair thereupon declared the Resolution duly passed and adopted this 8 day of June, 1999.

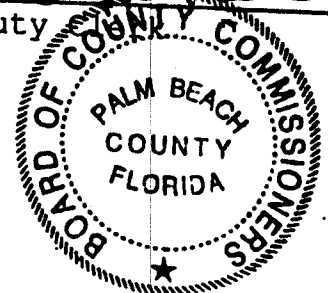
PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK

By: Linda C. Walker  
Deputy

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Marlene R. [Signature]  
County Attorney



ORDINANCE 87-12

- G.---Installation-of-a-pole-line-for-overhead-facilities:
  - 1.---First-200-lineal-feet-or-less-----\$--5.00
  - 2.---Next-300-lineal-feet-or-fraction-thereof.---\$--3.00
  - 3. Each additional 500 lineal feet or fraction thereof.-----\$--2.00
- H.---Turnouts:
  - 1.---Commercial-turnout-connection-----\$-10.00
  - 2.---Residential-turnout-on-to-an-arterial-or-collector-street-----\$--5.00
  - 3.---Where-culverts-are-used-in-conjunction-with-turnout.-----\$---50/ft.
- I.---Street-connections:
  - 1.---Paved-street-connection-for-tying-existing-and/or-new-county-roads-----\$-35.00-each
  - 2.---Where-culverts-are-used-in-conjunction-with-street-connections-----\$---50/ft.
- J.---Construction-of-elevated-or-submerged-facilities-crossing-county-owned-canals-or-other-county-owned-waterways.-----\$-25.00
- K.---All-other-types-of-construction-within-or-upon-public-rights-of-way-----\$10.00/permit  
plus-2%-of-installation-cost

Section 11. Section 5, Fees, of Ordinance No. 72-3 as amended, codified as Section 42-45, Article III, Moving of Structures, of Chapter 42 of the Code of Laws and Ordinances of Palm Beach County, Florida is amended to read as follows:

Section 5. Fees.

Each application filed for a structure moving permit shall be accompanied by payment of a the fee of fifty dollars (\$50.00) to cover the cost of administrative review and inspection. Said fee shall be established, from time to time, by resolution of the Board of County Commissioners.

Section 12. There is hereby created the Palm Beach County Land Development Fee Schedule Enabling Ordinance, as follows:

A. Intent. It is the intent of this ordinance that the functions and services, including publications, of the Land Development Division of the Department of

Engineering and Public Works be funded to the greatest extent practicable by person utilizing and served by the Land Development Division.

B. Fee Schedule. The Board of County Commissioners ("Board") shall by resolution establish, from time to time, a fee schedule to fund the various functions and services of the Land Development Division of the Department of Engineering and Public Works ("Land Development Division"). A fee shall be paid in accordance with the schedule established by the Board ("Fee Schedule") for applications, permits, reviews, records searches, publications, legal advertisements, and other administrative services of the Land Development Division and shall be paid at the time established by the County Engineer. Lack of provision in any ordinance, resolution, administrative order, policy, or memo for a fee shall not be construed as a limitation on the authority of the Board of County Commissioners to adopt a related fee.

1. Exemptions. Applications, petitions or permits initiated officially by Palm Beach County by its duly authorized agencies or officers are exempt from the payment of fees under the Fee Schedule. Additionally, any exemption from payment of fees specifically set forth in any ordinance of Palm Beach County shall govern.

2. Failure to obtain a permit. The permit fee shall be four (4) times the fee set by the Board of County Commissioners pursuant to this section B should work commence prior to the issuance of a permit as required by the County Engineer.

C. Annual Review. The Fee Schedule shall be evaluated and adopted on an annual basis on or about the first day of October of every year, commencing with the year 1988. The annual evaluation shall be conducted by the County Engineer. The Home Builders and Contractors Association, Associated General Contractors

and the Florida Engineering Society shall be given the opportunity to participate in such annual review. If a new Fee Schedule is not adopted by the first day of October of each year the Fee Schedule of the prior year shall remain in effect until a new schedule is adopted.

**D. Posting of Schedule; Time of Permit; Nonreimbursable Fee.** The Fee Schedule, as amended from time to time, shall be posted in the Land Development Division. All applications and permits, as the case may be, shall be accompanied by the required fee. Any application not accompanied by payment of the required fee shall be deemed incomplete and shall not be processed. All fees shall be non-reimbursable, unless otherwise stated in the resolution of the Board, and shall be payable to the Board of County Commissioners upon request for services or advertisement, submission of an application, or issuance of a permit, as determined by the County Engineer.

**Section 13.** Severability. If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any reason held by the Court to be unconstitutional, invalid, inapplicable, inoperative, or void, such holding shall not affect the remainder of this ordinance or its applicability to other facts and circumstances.

**Section 14.** Repeal of Laws in Conflict. Any local laws, and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed.

**Section 15.** Captions. The captions, section headings, and designations are for convenience only and shall have no effect on the interpretation of the provisions herein.

**Section 16.** Codification. This Ordinance shall be codified in the Code of Laws and Ordinances of Palm Beach County and the sections of this ordinance may be



PALM BEACH CHAPTER  
FLORIDA ENGINEERING SOCIETY

www.fleng.org  
www.pbfes.org

April 9, 2009

Palm Beach County Department of Engineering and Public Works  
Attention: Mr. Ken Rogers, P.E., Director Land Development Division  
2300 North Jog Road  
West Palm Beach, Florida 33411-2745

Re: Proposed Land Development Division Fee Increase  
Palm Beach Chapter, Florida Engineering Society Recommendation

Dear Mr. Rogers,

We have reviewed the proposed Land Development permit fee increases and the addition of fees for the Traffic and Roadway Production Divisions.

We find that:

1. The fees have not increased in 8 years and the increase is in line with the Consumer Price Index. We find this to be reasonable.
2. We concur that the Traffic and Roadway Production plan reviews protect the public interest and could be compensable.
3. We recommend that a level of accountability and an industry standard time limit should accompany the whole review program.
4. We appreciate the lowering of the fee in the revised schedule for through lane additions, and now find them to be acceptable.
5. We believe the Category 2 fee for a simple turn lane addition is too high. We recommend that this be reduced to 2% of construction cost. Then, should a longer or shorter one be required, the cost would be fair and commensurate.

With regard to item 3, we recommend that responsive plan reviews be defined as those that are dated by the USPS within 30 calendar days of receipt for information requests or approval. We suggest that non-responsive reviews should default to approval. Further, we recommend (a) that staff time for reviews be tracked and (b) that these statistics be maintained for a biannual summary of the timeliness of the process. Further, that this document is made available for public review on-line or otherwise provided within 15 calendar days of a written request for them.

It has been our pleasure to work with your division and we appreciate the opportunity to be a part of this review.

Should you or your staff have additional questions or require additional information for your presentation to the Board of County Commissioners, please do not hesitate to contact us.

Sincerely,

Jim Kunard, President

C: Board

President Jim Kunard, PE 561-882-1908	President Elect Alex Chatham, PE 561-688-9008	Secretary Mike Schwartz, PE 561-330-2345	Treasurer Olive Bailey, E.I. 561-307-5360	Past President Terrence Bailey, PE 561-882-1943	State Director Larry Smith, PE 561-616-3911
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TABLE 1

## LAND DEVELOPMENT SECTION FEES

Revenues By Fee Schedule Category	Abrev.	Current Fee	Proposed Fee	Source	Add'l Ann'l Revenue (Est)
Land Development Permit Extension	LDPE	\$350	\$450	C	\$10,100
Construction in Lake Maintenance Easement	LME	\$125 per lot	\$175 per lot	C,I	\$50
Construction in Drainage Easement	DE	\$75 per lot	\$125 per lot	C,I	\$4,950
Land Development Permit Application	LDPA	\$100+2% of project cost	\$100+2% of project cost		\$0
<b>Preliminary Plat and Plan Review</b>	PPTCA			C,I	\$20,275
Plat & Plans for Residential Subdivision		\$1,000 + \$20/unit	\$1,200 + \$25/unit		
Plat & Plans for Commercial Subdivision		\$1,000	\$1,200		
Boundary Plat Single Residential Lot		\$800	\$1,000		
Boundary Plat Single Commercial Lot		\$800	\$1,000		
Construction Plans-Improvements-Approved Plat		\$50	Removed from schedule		
Surety Reduction	SR	\$350	\$450	C	\$1,800
Revision Application (Minor Changes in Plans)	RV	\$50 (1st sheet)+\$25	\$75 (1st sheet) + \$45	C,I	\$2,895
Application to Revise Land Development Permit	QTR	\$100	\$450	C,I,L	\$1,726
Base Building Line Waiver	BBL	\$50	\$75	C,I	\$5,675
Application for Plat Waiver	PW	\$300	\$400	C	\$2,200
App-Required Improvements Installation Waiver	RIW	\$300	\$375	C	\$1,725
Variance	VAR	\$550+\$75 (AD cost)	\$1,000+\$79 (AD cost)	C,I	\$454
Application for Abandonment of Rights-of-Way, Easements (includes loss of privileges)		\$1,200+privilege fee	\$1,500+privilege fee	C	\$0
Application for Movement of Structures		\$400 per structure	\$500 per structure	C	\$0
					<u>\$51,850</u>

Source Key: C=CPI price inflator; I=Internal time studies; L=Tracking log data.

LAND DEVELOPMENT FEES

TABLE 2

RIGHTS-OF-WAY PERMITTING FEES

Revenues By Fee Schedule Category	Current Fee	Proposed Fee	Source	Add'l Ann'l Revenue (Est)
Application Fee – Right-of-Way (ROW) Permit	\$45	\$150	C,I,L	\$13,310
Right-of-Way (ROW) Permit Fee – Detailed Assess. Categories	Various	Various	C,I	\$26,246
1) Install Gravity Sanitary & Storm Sewer + Manholes & Basins				
– First 100 feet or less	\$70			
– Next 400 feet	\$40			
– First 500 feet or less		\$200		
– Each 500 additional feet	\$30	\$50		
2) Construct/Install Catch Basins, Manholes, Junction Box (Each)	\$60	\$100		
3) All Underground Crossings of Paved Road up to 25' Open Cut				
– Pipe 18" diameter or less (cost per cut)	\$120			
– Pipe 24" diameter or less (cost per cut)		\$150		
– Pipe > 18" diameter to 48" diameter (cost per cut)	\$180			
– Pipe > 24" diameter to 48" diameter (cost per cut)		\$225		
– Pipe > 48" diameter (cost per cut)	\$240			
– Pipe > 48" diameter (cost per cut)		\$300		
4) All Underground Crossings of Paved Road over 25' Paving Width				
– Pipe 18" diameter or less (cost per cut)	\$240			
– Pipe 24" diameter or less (cost per cut)		\$300		
– Pipe > 18" diameter to 48" diameter (cost per cut)	\$360			
– Pipe > 24" diameter to 48" diameter (cost per cut)		\$450		
– Pipe > 48" diameter (cost per cut)	\$480			
– Pipe > 48" diameter (cost per cut)		\$600		
5) All Underground Jack and Bore Crossings of Public Roadways				
– Pipe 18" diameter or less (cost per cut)	\$2.50			
– Pipe 24" diameter or less (cost per cut)		\$3.50		
– Pipe > 18" diameter to 48" diameter (cost per cut)	\$5.00			
– Pipe > 24" diameter to 48" diameter (cost per cut)		\$6.50		
– Pipe > 48" diameter (cost per cut)	\$7.00			
– Pipe > 48" diameter (cost per cut)		\$9.00		
6) Installation of Pole Line for Overhead Facilities				
– First 200 lineal feet or less	\$100			
– Next 300 feet	\$ 60			
– First 500 lineal feet or less		\$200		
– Each additional 500 feet	\$40	\$ 50		
7) Turnouts (All Driveway Connections)				
– Commercial turnout connection (ea)	\$400	\$500		
– Residential turnout connection (ea)	\$125	\$175		
– Where culverts are used with turnouts (per ft)	\$3.00	\$5.00		
8) Street Connections (All Driveway Connections)				
– Paved street connection for tying into county roads (ea)	\$400	\$500		
– Where culverts are used with street connections (per ft)	\$3.00	\$5.00		
9) Construct Elevated or Submerged Facilities Crossing County-owned canals or waterways	\$60	\$100		
10) All Other Types of Construction Upon Public ROW				

**LAND DEVELOPMENT FEES**

Revenues By Fee Schedule Category	Current Fee	Proposed Fee	Source	Add'l Ann'l Revenue (Est)
- (Excludes landscaping)	3% of project cost	3% of project cost		
Extension Fee Right-of-Way (ROW) Permit	\$45	\$100	C,I	\$1,980
Modification of Any Right-of-Way (ROW) Permit (NEW)		\$100		
Application Fee - Utility Permits	\$45	\$150	C,I,L	\$9,662
Utility Permit Fee - Detailed Assessment Categories	Various	Various	C,I	\$11,913
1) Install Gravity Sanitary & Storm Sewer + Manholes & Basins				
- First 100 feet or less	\$70			
- Next 400 feet	\$40			
- First 500 feet or less		\$200		
- Each 500 additional feet	\$30	\$50		
2) Installation of all Other Underground Facilities Including, but not limited to: Sanitary Force, Water, Gas, Liquid or Semi-liquid Pipelines, Including Necessary Manholes and Catch Basins				
- First 200 feet	\$48			
- Next 300 feet	\$24			
- First 500 feet or less		\$200		
- Each 500 additional feet	\$18	\$50		
3) Construct/Install Catch Basins, Manholes, Junction Box (Each)	\$60	\$100		
4) All Underground Crossings of Paved Road up to 25' Open Cut				
- Pipe 18" diameter or less (cost per cut)	\$120			
- Pipe 24" diameter or less (cost per cut)		\$150		
- Pipe > 18" diameter to 48" diameter (cost per cut)	\$180			
- Pipe > 24" diameter to 48" diameter (cost per cut)		\$225		
- Pipe > 48" diameter (cost per cut)	\$240			
- Pipe > 48" diameter (cost per cut)		\$300		
5) All Underground Crossings of Paved Road over 25' Paving Width				
- Pipe 18" diameter or less (cost per cut)	\$240			
- Pipe 24" diameter or less (cost per cut)		\$300		
- Pipe > 18" diameter to 48" diameter (cost per cut)	\$360			
- Pipe > 24" diameter to 48" diameter (cost per cut)		\$450		
- Pipe > 48" diameter (cost per cut)	\$480			
- Pipe > 48" diameter (cost per cut)		\$600		
6) All Underground Jack and Bore Crossings of Public Roadways				
- Pipe 18" diameter or less (cost per cut)	\$2.50			
- Pipe 24" diameter or less (cost per cut)		\$3.50		
- Pipe > 18" diameter to 48" diameter (cost per cut)	\$5.00			
- Pipe > 24" diameter to 48" diameter (cost per cut)		\$6.50		
- Pipe > 48" diameter (cost per cut)	\$7.00			
- Pipe > 48" diameter (cost per cut)		\$9.00		
7) Installation of Pole Line for Overhead Facilities				
- First 200 lineal feet or less	\$100			
- Next 300 feet	\$60			
- First 500 lineal feet or less		\$200		
- Each 500 additional feet	\$40	\$50		
Extension Fee Utility Permit	\$45	\$100	C,I	\$2,585
Modification of Any Right-of-Way (ROW) Permit (NEW)		\$100		
Drainage Review Fee (Total Paid in Advance Based on Acreage)	Various	Various	C,I	\$14,530
- Up to 1 acre	\$225			
- More than 1 acre to and including 2 acres	\$350			

**LAND DEVELOPMENT FEES**

Revenues By Fee Schedule Category	Current Fee	Proposed Fee	Source	Add'l Ann'l Revenue (Est)
- Less than or equal to 2 acres or less		\$400		
- More than 2 acres to and including 5 acres	\$550	\$800		
- More than 5 acre to and including 10 acres	\$850	\$1,000		
- More than 10 acres	\$1,150	\$1,300		
Extension Fee Drainage Reviews	\$45	\$100	C,I	\$1,100
Modification of Any Drainage Review Permit	\$45	\$100		
Application Fee - Landscape Permit	\$45	\$150	C,I,L	\$5,251
Landscape Permit Fee	\$350+5% of project cost	\$400+5% of project cost	C,I	\$2,529
Extension Fee Permit	\$45	\$100	C,I	\$275
Modification of Any Permit	\$45	\$100		
				<u>\$89,380</u>

Source Key: C=CPI price inflator; I=Internal time studies; L=Tracking log data.

**CONCLUSIONS AND RECOMMENDATIONS**

1. Adoption of the proposed fee schedules will create an additional \$140,000, more or less, each year at current levels of development activity;
2. Adoption of the proposed fee schedules should be regarded as an interim step to address the immediate need to amend Ordinance No. 87-12, as required;
3. Division management should continue to collect empirical cost data associated with each service activity for which fees are charged, in order to compile a database of cost components which can be used to build an empirical fee structure for the future;
4. Division management should establish a formal policy regarding its cost recovery goals. The MPA Consultant has identified two areas for the division to explore in consideration of developing future fee schedules:
  - Costs incurred outside the Land Development Division budget have not been specifically quantified for cost recovery, even though they may account for as much as half of the costs incurred in the delivery of some Division services. These are costs that arise principally in other divisions of the Engineering and Public Works Department, although they may occur outside the department, too;
  - Excluding personnel costs incurred in the routine conduct of customer service—such as dealing with walk-in customers and responding to telephone callers—from cost recovery may be unnecessarily conservative. In view of the very technical activities carried out by the Division, "routine" customer service of that sort may be a reasonable component of its service delivery costs.