



**PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION
POLICY AND PROCEDURE**

JON P. MACGILLIS, ASLA, ZONING DIRECTOR

PPM # ZO-O-020

**Issued: 08/21/05
Effective: 06/10/16**

SUBJECT: Zoning Fees – Request for Fee Reduction

AUTHORITY: Article 2.G.4.K.2.d, Executive Director of PZ&B, Authority to Reduce Fees

PURPOSE: To establish clear guidelines for staff to evaluate Requests for Fee Reduction.

POLICY: The Applicant, Zoning Director and staff shall follow the procedures outlined below in determining if an applicant meets the requirements necessary for consideration of reduced fees pursuant to Art. 2.G.4.K.2.d, and to make a recommendation to the Executive Director.

PROCEDURES: An applicant must request a fee reduction in writing from the Executive Director or the Zoning Director prior to submitting the Zoning application. The required fee associated with the particular Zoning application is outlined in the "Official Zoning Fee Schedule". A formal letter shall be submitted by the applicant outlining the rationale and justification for the request of reduced fees. The justification shall be supported by clear evidence to allow staff to evaluate the merits of the reduced fees prior to making a recommendation to the Executive Director. (See attachment for example of Analysis of Fee Reduction.) There are several circumstances when fee reduction may be considered: Established Fees Exceed Full Cost of Staff Time; Voluntary Rezoning; Acreage and Further Reduction.

1. **Established Fees Exceed Full Cost of Staff Time** - Staff shall prepare a full cost analysis of the time required for processing the application and shall provide a recommendation to the Executive Director whether or not a fee reduction for the application is warranted.
2. **Voluntary Rezoning** – Applicants who choose to voluntarily rezone a property that has a prior approval, and is currently recognized by the ULDC. This includes, but shall not be limited to:
 - Special Exception for a Planned Development District; or
 - Conditional Use for a Planned Development District.

A 50% reduction of Fee Code #3800 - Rezoning to a Planned Development District, shall apply.

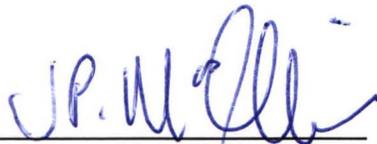
3. **Acreage** - Fees for the first 1,000 acres shall be charged at the rate of \$20 per acre, and no charge thereafter. Staff may recommend that the Executive Director further reduce acreage fee when it (e.g. excavation) exceeds the overall application fees of the request.
4. **Further Reduction** – Staff may consider a fee reduction when there are 2 or more requests under the same application, e.g. a Development Order Amendment (DOA)

to a prior approval, add a Requested/Conditional Use and a modification to the prior conditions of approval. Staff may recommend that the Executive Director reduce the highest fee by 50%.

For circumstances 1 and 4, staff shall use the following standards in their evaluation:

- a. Applications that have prior history of neighbors' complaints about the development: Staff shall evaluate time involved in researching the Control File history for prior public opposition to approvals that would warrant special or extra research by staff in processing the application. Staff shall include all anticipated additional work, which include, but are not limited to; attending community meetings, informing residents by mail or phone on progress of project, drafting and finalizing conditions of approval, etc.
- b. If fees are generated by the project acreage; this reflects additional work for staff to process the application.
- c. If the application has numerous complex site elements, details, code requirements, etc., that would also require additional staff time to review and process.
- d. Any other standards that may be useful in evaluating the actual staff cost to process the application, and clearly demonstrate that the standard cost far exceeds the actual cost to review and process the application (for example, an excavation application).
- e. For No.4, the current fees for a DOA (Fee Code- 03840) has the cost that is higher than the Requested Use/Conditional Class A or B Use fee. A 50% reduction of the DOA fees will be recommended since Staff will be reviewing similar information/project history for the multiple requests. The proposed new use must be within an existing building with no significant changes to the exterior of the site. Significant changes shall be determined by the Development Review Officer. This fee reduction shall not apply to requests where new buildings are proposed as part of the application.

The Executive Director has the authority to deny any request for fee reductions under this provision, and in instances where an applicant fails to meet these requirements. The Zoning Division shall maintain a log of all requests for fee reductions. On an annual basis, the Zoning Director shall make recommendations to the Executive Director for amendments to the Fee Schedule to address new and amended fees.



Director

Supersession History:

PPM#ZO-O-020, Issued 08/21/2005

PPM#ZO-O-020, Revised 06/10/2016

Example of Analysis of Reduced Fees

Fee Code	Fee Description	Charged Amount	Reduced Amount	Reduced %		Reduced %
	Zoning Liens and Fines per PCN	\$ 49.76	\$ 49.76		\$ 49.76	
	Requested Use (+\$ per acre)	\$ 4,563.69	\$ 1,825.48	60%	\$ 2,281.85	50%
	Per Acre Fees (\$20/acre)	\$ 146.65	\$ 146.65		\$ 146.65	
	Violations of Code or Dev Order Approval	\$ -	\$ -		\$ -	
	Legal Advertisements	\$ 121.41	\$ 121.41		\$ 121.41	
	Development Order Amendment	\$ 5,795.66	\$ 3,477.40	40%	\$ 2,897.83	50%
	Resubmittal (apply at 3rd resubmittal)	\$ -	\$ -		\$ -	
	Concurrency Reservation	\$ 278.64	\$ 278.64		\$ 278.64	
	ERM pre-application	\$ 199.03	\$ 199.03		\$ 199.03	
	LDDev: Zoning Application	\$ 3,313.81	\$ 686.65	80%	\$ 686.65	80%
	Palm Tram: (includes 2 resubmittals)	\$ 345.68	\$ 345.68		\$ 345.68	
	Zoning Postage -Domestic Certified	\$ 2,349.51	\$ 2,349.51		\$ 2,349.51	
	Zoning Postage -Domestic 1st Class	\$ 61.32	\$ 61.32		\$ 61.32	
	ENG TPS Review	\$ 150.00	\$ 150.00		\$ 150.00	
	Type II Variance -Concurrent	\$ 2,349.51	\$ 2,349.51		\$ 2,349.51	
	Planning DRO Review	\$ 298.54	\$ 298.54		\$ 298.54	
	Total:	\$ 20,023.21	\$ 12,339.58		\$ 12,216.38	
	Reduction Criteria					
	Requested Use is internal to existing building-replacement of a use.					
	Minimum external modifications -e.g. similar or less parking requirements for the new use					
	No Code or prior violations on the affected area only					
	Staff will be reviewing the same set of prior conditions of approval for both the Requested Use and DOA					