

FILED
20 JAN -9 11:04:12
CLERK OF COUNTY COMMISSIONERS
CALHOUN COUNTY, FLORIDA

CALHOUN COUNTY
ORDINANCE NO. 2007-12

AN ORDINANCE OF CALHOUN COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FEE SCHEDULE; PROVIDING FOR TITLE; PROVIDING FOR FUTURE AMENDMENT OF FEE SCHEDULE BY RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Calhoun County Board of County Commissioners, by and through the provisions of Florida law, has the authority to, from time to time, adopt ordinances that it deems to be in the public interest; and

WHEREAS, as a result of the comprehensive planning process, the County has incurred substantial expenses in the receipt, review and approval of development activity within the County; and

WHEREAS, the County has determine that the developer/property owner, as the beneficiary of the bargain of the development review application process, should bear the expense of this process, and, in order to recoup these costs and to uniformly apply a cost schedule to all citizens of Calhoun County,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CALHOUN COUNTY, FLORIDA, THAT:

SECTION 1. This Ordinance shall be cited as the "COMPREHENSIVE PLAN FEE SCHEDULE ORDINANCE".

SECTION 2. This Ordinance shall replace and repeals Calhoun County Ordinance 2006-3, and any other ordinance in conflict with the terms hereof.

SECTION 3. The base fees listed below shall be paid to the Calhoun County Planning/Building Department at the time the application is submitted. Such fees shall not be refundable.

SECTION 4. The following fee schedule shall apply to development activity within Calhoun County.

1. **Comprehensive Plan Amendments:**

A. Large Scale Amendments \$2,500.00

(I) In the event there is a formal objection/challenge by the Department of Community Affairs, the applicant shall be responsible for the payment of an additional \$2,500.00 base fee to facilitate the County resolving the issue through the Department of Community Affairs, either through settlement or litigation.

B. Small Scale Amendments \$1,250.00

2. Subdivision Review: \$2,000.00

To the extent the subdivision review requires a Comprehensive Plan Amendment, the fee for the subdivision review shall be in addition to the fees charged for the Plan Amendment.

3. Conditional Use, Special Exemption,
Temporary Use and Variances \$ 300.00

In addition to the above stated fees, the applicant shall be responsible for all out-of-pocket costs of the County, including costs for preparation of maps, costs of preparation for advertisement and copying costs. The fees of the County Planner, Engineer, and County Attorney may be billed to the developer in instances where substantial time and costs are involved. The various county subcontractors such as the engineer, planner, attorney, etc., shall bill the County at the rates established by the contract between the subcontractor and the County. The County shall then bill the developer for the amounts billed by the subcontractor without any mark-up or profit. The County shall not bill the developer for any subcontractor costs that would have been incurred regardless of the request by the subcontractor. The developer shall be advised at the earliest opportunity of the involvement of these costs. Payment of these costs shall be a condition precedent to approval of the development order, plan amendment or subdivision approval.

SECTION 5. SEVERABILITY

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

SECTION 6. EFFECTIVE DATES

This Ordinance shall take effect upon its passage by a majority vote of the Board of County Commissioners in and for Calhoun County, after due notice and publication, in the regular meeting on the 18th day of December, 2007, and upon being filed with the Secretary of State.

ADOPTED THIS 18th DAY OF December, 2007, BY A VOTE OF 4 TO 0.



BOARD OF COUNTY COMMISSIONERS
CALHOUN COUNTY, FLORIDA

BY: William T. Hunt
Chairman

ATTEST:

Ruth W. Attaway
Ruth W. Attaway, Clerk

(SEAL)