

**CITY OF SANIBEL**

**ORDINANCE NO. 16-010**

**AN ORDINANCE PERTAINING TO CHAPTER 90 OF THE SANIBEL CODE ENTITLED "FEES", ARTICLES I, II, III AND IV, AMENDING THE PERMIT, DEVELOPMENT REVIEW AND ADMINISTRATIVE FEES SET FORTH THEREIN BY INCREASING SUCH FEES APPROXIMATELY 1.1%; AMENDING THE SCHEDULE OF FEES FOR APPLICATIONS FOR PERMITS OR APPROVALS REQUIRED BY THE LAND DEVELOPMENT CODE; ESTABLISHING THE CURRENT SCHEDULE OF FEES; SUPERSEDING AND REPEALING ALL PRIOR ORDINANCES AND RESOLUTIONS INCONSISTENT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, it is in the best interests of the citizens of Sanibel that the City establish and maintain planning, development review and administrative fees at amounts generally equivalent to the cost of providing such planning, development review and administrative services including, but not limited to, permit application reviews, planning inspection services, code review and regulation, administration and similar services; and

**WHEREAS**, such fees, in part, were established in 2003 pursuant to Ordinance 03-012, and increased in 2004, 2005 and 2006 to reflect the percentage increase of the Consumer Price Index; and

**WHEREAS**, municipalities are legally authorized to maintain planning, development review and administrative fees at levels necessary to recoup reasonably related costs and expenses of such applicable Planning Department fees;

**WHEREAS**, this schedule of fees is established to supersede and repeal all prior Ordinances and Resolutions inconsistent herewith;

**NOW, THEREFORE BE IT ORDAINED** by the City Council of the City of Sanibel, Florida:

**SECTION 1 - AMENDMENT OF FEES**

CHAPTER 90, FEES; ARTICLES I, II, III AND IV of the Sanibel Land Development Code are hereby amended to read as follows, with additions indicated by underlining and deletions indicated by strikeout, to read as follows:

**Sec. 90-6. Adjacent property owner notifications.**

The fee for adjacent property owner notifications shall be \$1.70 ~~1.65~~ per notification for each one in excess of 50. This fee shall be paid in addition to the filing fee upon submittal of the application.

**Sec. 90-7. Administrative/advertising fee.**

For any development permit application filed as a short-form application which, after staff review, is determined to be a long-form application, there shall be an additional fee of \$2,047.00 ~~\$2,025.00~~ to cover administrative and advertising costs associated with processing the application as a long-form development permit and conducting a public hearing. The \$2,047.00 ~~\$2,025.00~~ Administrative/advertising fee shall be paid by the applicant prior to placing the request on the planning commission agenda.

For any application filed which is subject to notice requirements set forth in F.S. Chapters 163 or 166, the applicant shall pay all advertising costs associated with satisfying Florida Statutes notice requirements in addition to the filing fee for the application.

\*\*\*

**Sec. 90-8.5. Amendment to pending application.**

For a substantial amendment to a pending application initiated by the applicant, the fee shall be 20 percent of the original filing fee, but not less than \$215.00 ~~\$213.00~~.

**Sec. 90-9. Appeals.**

For an appeal of any final decision of the planning commission filed pursuant to section 82-98, the fee shall be ten percent of the original filing fee, but not less than \$1,239.00 ~~\$1,226.00~~.

**Sec. 90-10. Continuation of a public hearing.**

For an applicant's request to continue a public hearing held pursuant to the Sanibel Plan or land development code, whether before the planning commission or city council, the fee shall be \$755.00 ~~\$747.00~~ per request.

**Sec. 90-11. Extension of an expiration date.**

For an extension of the expiration date of a pending application, or of a permit or approval granted pursuant to the land development code, the fee shall be as follows:

(1) If city manager or his designated representative action only is required: Ten percent of the original filing fee, but not less than \$215.00 ~~\$213.00~~.

(2) If planning commission or city council action required: Ten percent of the original filing fee, but not less than \$2,047.00 ~~\$2,025.00~~.

\*\*\*

**Sec. 90-13. Reinspections.**

For a request for a reinspection prior to issuance of a completion certificate pursuant to section 82-362 the fee shall be as follows: If after a developer indicates a development is complete and requests a final inspection prior to issuance of a completion certificate, and the inspection reveals the development has not been completed in accordance with applicable requirements, the developer shall pay a fee of \$215.00 ~~\$213.00~~ prior to each subsequent reinspection.

**Sec. 90-14. Revisions to an active permit or approval.**

For a request to modify a valid permit or other approval granted pursuant to the land development code:

- (1) If city manager or his designated representative action only is required: \$270.00 ~~\$267.00~~ per change for each change included with the same request.
- (2) If planning commission or city council action is required: \$2,047.00 ~~\$2,025.00~~.

\*\*\*

**Sec. 90-16. Street graphics.**

For applications filed pursuant to chapter 106:

- (1) New street graphic: \$10.00 per square foot
- (2) All Revisions to an existing street graphic after a permit has been issued: \$50.00
- (3) Variance to street graphic standards filed pursuant chapter 106, article III, division 7: \$2,881.00 ~~\$2,850.00~~ for one variance to one regulation, plus \$755.00 ~~\$747.00~~ for each additional variance request to each separate regulation, when included with the same application for the same parcel.

**Sec. 90-17. Vegetation permits.**

For requests filed pursuant to chapter 122, article III:

- (1) There shall be no fee for the following activities requiring a vegetation permit:
  - a. A request for a vegetation permit as a part of the development permit process.
  - b. Removal of native species (other than mangroves) from grounds around an existing building.
  - c. Removal of Brazilian pepper or melaleuca, earleaf acacia, lead tree, java plum, air potato, exotic inkberry and mother-in-law's tongue from undeveloped property.
  - d. Chemical control of aquatic plants.

(2) Fees for the activities listed in this subsection which require a vegetation permit are as follows:

a. Removal or trimming of any vegetation seaward of the 1974 coastal construction control line: \$109.00 ~~\$108.00~~.

b. Mangrove trimming and removal: \$72.00

c. Mechanical removal or alteration of vegetation: This activity requires a development permit, and the fee is set forth in article II, division 5, of this chapter.

(3) For an appeal filed pursuant to section 122-142, requesting planning commission review of the city manager's decision as it relates to the vegetation standards, the Sanibel Plan, and the land development code the fee shall be \$2,047.00 ~~\$2,025.00~~.

**Sec. 90-18. Application fees; refunds.**

Application fees may be refunded for pending applications, permits and other approvals, upon written request by the applicant, subject to approval of the city manager or his designee. In determining whether a refund is warranted, and the amount of the refund, the city manager or his designee shall consider all costs to the city resulting from the application from the time of filing until the time of the request for refund, including, without limitation, actual expenses, time expended by staff members, and overhead costs. In no event shall the refund exceed 50 percent of the original filing fee. There shall be no refunds granted for any expired application, permit or other approval filed or granted pursuant to the land development code. There shall be no refunds granted if development authorized by the permit or approval has commenced.

**ARTICLE II. DEVELOPMENT PERMITS**

\*\*\*

**DIVISION 2. RESIDENTIAL DEVELOPMENT**

\*\*\*

**Sec. 90-57. New development; relocation of existing structures for residential use; redevelopment of existing parcels.**

Fees for new development, including relocation of existing structures for residential use and redevelopment of existing parcels, shall be as follows:

(1) *Single-family and duplex dwelling units.* For single-family and duplex dwelling units the fee shall be \$2,881.00 ~~\$2,850.00~~ for up to 2,000 square feet of living area, plus \$0.81 ~~\$0.80~~ per square foot for each square foot of living area in excess of 2,000 square feet per unit.

\*\*\*

**Sec. 90-58. Alterations and remodelings--No increase in living area.**

Fees for alteration and remodeling with no increase in living area shall be one percent of the estimated cost of the improvements up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than \$270.00 ~~\$267.00~~.

**Sec. 90-59. Same--Increase in living area.**

The fee for additions and remodelings which include an increase in living area shall be one percent of the estimated cost of the remodeling improvements up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, plus \$0.91 ~~\$0.90~~ per square foot for each new square foot of living area, or fraction thereof, but not less than \$431.00 ~~\$426.00~~.

**DIVISION 3. NONRESIDENTIAL DEVELOPMENT**

\*\*\*

**Sec. 90-82. New development; relocation of existing structures for commercial use; redevelopment of existing parcels.**

The fee for new commercial and other nonresidential development, including relocation of existing structures for commercial use and redevelopment of existing parcels shall be \$2,693.00 ~~\$2,664.00~~ for up to 2,000 square feet of floor area, plus \$2.25 ~~\$2.20~~ per square foot for each square foot of floor area in excess of 2000 square feet.

**Sec. 90-83. Alterations or remodelings--No increase in floor area.**

The fee for alterations or remodelings with no increase in floor area shall be one percent of the estimated cost of the improvement up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than \$540.00 ~~\$534.00~~.

**Sec. 90-84. Same--Increase in floor area.**

The fee for additions, extensions, alterations, reconstructions and remodeling which include an increase in floor area shall be one percent of the estimated cost of the remodeling improvements up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, plus \$2.25 ~~\$2.20~~ for each new square foot of floor area, or fraction thereof, but not less than \$1,077.00 ~~\$1,066.00~~.

**Sec. 90-85. Telecommunications devices as a principal use.**

The fee for telecommunications devices as a principal use shall be one percent of the estimated cost of the telecommunications devices, including support structures up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than \$3,252.00 ~~\$3,217.00~~.

**Sec. 90-86. Outdoor seating.**

The fees for outdoor seating associated with Regular Restaurants and Carryout Restaurants are as follows:

- (1) Restaurants, regular: \$38.50 ~~\$38.00~~ for each bonus seat for outdoor dining with a maximum fee of \$606.00 ~~\$600.00~~.

- (2) Restaurant, carryout: No fee for seating serving the first six patrons. ~~\$270.00~~  
~~\$267.00~~ for seating serving from seven to twelve patrons. ~~\$28.50~~ ~~\$28.00~~ for each additional seat.

#### **DIVISION 4. ACCESSORY USES AND STRUCTURES**

##### **Sec. 90-100. Beach dune walkover.**

The fee for a beach dune walkover shall be ~~\$593.00~~ ~~\$587.00~~.

##### **Sec. 90-101. Boat docks, davits and lifts outside bay beach zone.**

The fees for boat docks, davits and lifts shall be as follows:

- (1) *New construction* The fee for new construction shall be ~~\$593.00~~ ~~\$587.00~~.
- (2) *Addition, extension, alteration, repair or reconstruction of an existing boat dock, davit or lift.* The fee for addition, extension, alteration, repair or reconstruction of an existing boat dock, davit or lift shall be one percent of the estimated cost of the structure up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than ~~\$215.00~~ ~~\$213.00~~.

##### **Sec. 90-102. Telecommunications devices.**

The fee for telecommunications devices as an accessory use shall be one percent of the estimated cost of the telecommunications devices, including support structures, up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than ~~\$215.00~~ ~~\$213.00~~.

##### **Sec. 90-103. Exterior lighting.**

The fee for exterior lighting shall be ~~\$35.50~~ ~~\$35.00~~ for each light fixture on the same parcel, when included with the same application. However, the maximum fee shall not exceed \$280.00.

##### **Sec. 90-104. Fences.**

The fee for fences shall be ~~\$215.00~~ ~~\$213.00~~ for up to 300 lineal feet, plus ~~\$54.00~~ ~~\$53.25~~ for each additional 100 lineal feet, or fraction thereof.

##### **Sec. 90-105. Screen enclosures.**

The fee for screen enclosures shall be ~~\$215.00~~ ~~\$213.00~~ for up to 1,000 square feet of enclosed area, plus ~~\$65.00~~ ~~\$64.25~~ for each additional 500 square feet, or fraction thereof.

**Sec. 90-106. Storage areas, buildings, garages, and other lower-level enclosures.**

(a) *Freestanding.* The fee for freestanding storage areas, buildings and garages shall be ~~\$162.00~~ ~~\$161.00~~ for up to 100 square feet of enclosed area, plus ~~\$54.00~~ ~~\$53.25~~ for each additional 50 square feet, or fraction thereof.

(b) *Attached or below an existing principal structure.* The fee for storage areas, buildings and garages attached or below an existing principal structure shall be ~~\$215.00~~ ~~\$213.00~~ for up to 500 square feet of enclosed space, plus ~~\$54.00~~ ~~\$53.25~~ for each additional 100 square feet, or fraction thereof.

**Sec. 90-107. Swimming pools and spas.**

(a) *Serving single-family dwelling or duplex.* The fee for swimming pools and spas serving single-family dwelling or duplex shall be ~~\$593.00~~ ~~\$587.00~~, including deck, fence, screen enclosure and spa when included with the same application.

(b) *Serving other than a single-family dwelling or duplex.* The fee for swimming pools and spas serving other than a single-family dwelling or duplex shall be ~~\$1,293.00~~ ~~\$1,279.00~~, including deck, fence, screen enclosure and spa when included with the same application.

(c) *Freestanding spa.* The fee for a freestanding spa shall be ~~\$215.00~~ ~~\$213.00~~.

**Sec. 90-108. Tennis courts.**

(a) *Serving single-family dwelling or duplex.* The fee for tennis courts serving a single-family dwelling or duplex shall be ~~\$593.00~~ ~~\$587.00~~, including fence when included with the same application.

(b) *Serving more than a single-family dwelling or duplex.* The fee for tennis courts serving more than a single-family dwelling or duplex shall be ~~\$1,024.00~~ ~~\$1,013.00~~, including fence when included with the same application, plus ~~\$431.00~~ ~~\$426.00~~ for each additional court and fence when included with the same application.

**Sec. 90-109. Resort housing accessory beach equipment**

The fee for (outdoor storage of) accessory beach equipment shall be \$300.00 for the resort housing development, plus \$5.00 for each resort housing unit in the development in excess of 20 dwelling units, but not more than \$500.00.

**Sec. 90-110. Uses and structures not specifically listed..**

The fee for uses and structures not specifically listed shall be one percent of the estimated cost of the use or structure, but not less than ~~\$215.00~~ ~~\$213.00~~.

Secs. 90-110---90-125 Reserved.

## DIVISION 5. MISCELLANEOUS

### Sec. 90-126. Change of use.

(a) *Change in intensity of use.* When the change in intensity of use results in the creation of additional units, the fee shall be ~~\$2,047.00~~ ~~\$2,025.00~~ per unit, for each additional unit. When the change in intensity of use consists of adding seats to a previously approved restaurant, with no increase in commercial floor area, the fee shall be ~~\$1,024.00~~ ~~\$1,013.00~~ for up to ten additional seats, plus ~~\$28.50~~ ~~\$28.00~~ per seat.

(b) *Change of nonconforming use to different use.* The fee for a change of any nonconforming use to a different use shall be ~~\$1,212.00~~ ~~\$1,199.00~~.

(c) *Change when development standards differ.* The fee for a change of use when development standards are different for the existing and proposed use shall be ~~\$1,212.00~~ ~~\$1,199.00~~.

### Sec. 90-127. Demolition of a structure.

The fee for the demolition of a structure shall be ~~\$281.00~~ ~~\$278.00~~ per structure.

### Sec. 90-128. Dredging or excavation.

The fee for dredging or excavation, not in conjunction with stormwater management facilities, shall be ~~\$1,293.00~~ ~~\$1,279.00~~ for up to 100 cubic yards, plus ~~\$109.00~~ ~~\$108.00~~ for each additional 50 cubic yards, or fraction thereof.

### Sec. 90-129. Emergency beach shoreline erosion control.

The fee for emergency beach shoreline erosion control shall be ~~\$2,326.00~~ ~~\$2,301.00~~ for up to 100 lineal feet, plus ~~\$431.00~~ ~~\$426.00~~ for each additional 50 lineal feet, or fraction thereof.

### Sec. 90-130. Placement of fill.

(a) The fee for the placement of fill with no drainage plan required shall be ~~\$215.00~~ ~~\$213.00~~.

(b) The fee for placement of fill which requires a drainage plan, including placement of fill, excavation, culverts, etc. shall be ~~\$755.00~~ ~~\$747.00~~.

### Sec. 90-131. Revetments in manmade canals and lakes.

The fee for revetments in manmade canals and lakes (chapter 126, article XIV, division 2, subdivision III) shall be ~~\$1,293.00~~ ~~\$1,279.00~~ for up to 100 lineal feet, plus ~~\$281.00~~ ~~\$278.00~~ for each additional 50 lineal feet, or fraction thereof.

**Sec. 90-132. Vegetation removal or alteration as an adjunct of construction or other development, including use of mechanical equipment.**

The fee for vegetation removal or alteration as an adjunct of construction or other development, including use of mechanical equipment, shall be ~~\$281.00~~ ~~\$278.00~~ for up to one acre, plus ~~\$109.00~~ ~~\$108.00~~ for each additional acre, or fraction thereof. However, the fee for mechanical removal of exotic vegetation may be waived by the city manager or designee.

**Sec. 90-133. Other development permits not specifically listed.**

The fee for other development permits not specifically listed shall be one percent of the estimated cost of the use or structure up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than ~~\$215.00~~ ~~\$213.00~~.

**Secs. 90-134--90-150. Reserved.**

**DIVISION 6. SUBDIVISIONS**

**Sec. 90-151. Creation of cooperative or condominium units.**

The fees for creation of cooperative or condominium units (section 114-47) shall be as follows:

(1) *Existing structure only.* The fee for an existing structure only shall be ~~\$2,047.00~~ ~~\$2,025.00~~ for the first two units created, plus ~~\$426.00~~ ~~\$414.00~~ for each additional unit created.

(2) *Land or new structure included.* The fee for land or a new structure included shall be ~~\$3,252.00~~ ~~\$3,217.00~~ for the first two units, plus ~~\$593.00~~ ~~\$587.00~~ for each additional unit created.

**Sec. 90-152. Minor subdivision.**

The fees for minor subdivision (chapter 114, article II, division 3) shall be ~~\$800.00~~ ~~\$2,260.00~~ ~~\$2,236.00~~ for the first two lots or tracts created or modified by the subdivision, plus ~~\$600.00~~ ~~\$733.00~~ ~~\$725.00~~ for each additional lot or tract created or modified by the subdivision.

**Sec. 90-153. Major subdivision.**

The fees for major subdivision (chapter 114, article II, division 4) shall be ~~\$8,500.00~~ ~~\$11,719.00~~ ~~\$11,592.00~~ for up to five lots or tracts created or modified by the subdivision, plus ~~\$325.00~~ ~~\$733.00~~ ~~\$725.00~~ for each additional lot or tract created or modified by the subdivision.

\*\*\*

**DIVISION 7. DEVELOPMENT PERMITS IMPLEMENTING  
CONDITIONAL USE APPROVAL**

\*\*\*

**Sec. 90-172. Public utility uses.**

The fees for public utility uses (section 126-32) shall be one percent of the estimated cost of the improvement up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than \$431.00 ~~\$426.00~~

**Sec. 90-173. Institutional uses.**

The fees for institutional uses (section 126-33) shall be the applicable development permit fee from division 3 of this article.

**Sec. 90-174. Agriculture and aquaculture.**

The fees for agriculture and aquaculture (section 126-34) shall be one percent of the estimated cost of the improvement up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than \$431.00 ~~\$426.00~~.

**Sec. 90-175. Recreational facilities.**

The fees for recreational facilities (section 126-35) shall be one percent of the estimated cost of the improvement up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than \$431.00 ~~\$426.00~~.

**Sec. 90-176. Resort housing accessory commercial uses.**

The fees for resort housing accessory commercial uses (section 126-102) shall be as follows:

- (1) *Real estate sales and rental offices.* The fee for real estate sales and rental offices shall be \$431.00 ~~\$426.00~~.
- (2) *Retail sales of food items and sundries.* The fee for retail sales of food items and sundries shall be \$431.00 ~~\$426.00~~.
- (3) *Restaurants.* The fee for restaurants shall be the applicable development permit fee from division 3 of this article.
- (4) *Rentals of nonmotorized equipment and/or recreational lessons.* The fees for rentals of nonmotorized equipment and/or recreational lessons shall be \$86.50 ~~\$85.50~~ per item for each piece of equipment included in the rental inventory, but not less than \$431.00 ~~\$426.00~~.

**Sec. 90-177. Foster family homes.**

The fees for foster family homes (section 126-84) shall be as follows:

(1) *Conversion of an existing dwelling unit.* The fee for conversion of an existing dwelling unit shall be the applicable development permit fee from division 2 of this article.

(2) *New development.* The fee for new development shall be the applicable development permit fee from division 2 of this article.

**Sec. 90-178. Increased-density below market rate housing.**

The fees for increased-density below market rate housing (section 126-85) shall be as follows:

(1) *Conversion of an existing dwelling unit(s).* The fees for the conversion of existing dwelling unit(s) shall be the applicable development permit fee from division 2 of this article.

(2) *New development.* The fees for new developments shall be the applicable permit fee from division 2 of this article.

\*\*\*

**Sec. 90-179. Residential child caring facilities and assisted living facility.**

The fees for residential child caring facilities and assisted living facility (section 126-86) shall be as follows:

(1) *Conversion of an existing dwelling unit(s).* The fees for the conversion of an existing dwelling unit shall be the applicable development permit fee from division 2 of this article.

(2) *New development.* The fees for new developments shall be the applicable development permit fee from division 2 of this article.

**Sec. 90-180. Combined residential and commercial development.**

The fee for combined residential and commercial development shall be the combined fees from division 2 and 3 of this article.

**Sec. 90-181. Outdoor storage.**

The fee for outdoor storage shall be \$431.00 ~~\$426.00~~ for up to 1,000 square feet of floor area, plus \$215.00 ~~\$213.00~~ for each additional 1,000 square feet of floor area, or fraction thereof.

**Sec. 90-182. Rehabilitation centers and social service homes.**

The fees for rehabilitation centers and social service homes shall be one percent of the estimated cost of the improvement up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than ~~\$431.00~~ \$426.00.

**Sec. 90-183. Drive-in and drive-through facilities.**

The fees for drive-in and drive-through facilities shall be ~~\$431.00~~ \$426.00 per station, for each station included with the same application.

**Sec. 90-184. Restaurants, grocery stores, delicatessen stores, etc., not as a permitted use.**

The fees for eating places, restaurants, grocery stores, delicatessen stores, food markets, carry-out food stores not listed as a permitted use, including ice cream shops, and any permitted commercial use involving on-site food preparation or processing shall be the applicable development permit fee from division 2 of this article.

**Sec. 90-185. Motion picture theaters, except drive-in, and theaters for live performances.**

The fees for motion picture theaters, except drive-in, and theaters for live performance, shall be the applicable development permit fee from division 2 of this article.

**Sec. 90-186. Gasoline service stations.**

The fee for gasoline stations shall be the applicable development permit fee from division 2 of this article.

**Sec. 90-187. Vehicle rental and leasing.**

The fee for vehicle rental and leasing shall be the applicable permit fees from division 2 of this article.

**Sec. 90-188. Car washes.**

The fee for car washes shall be the applicable development permit fee from division 2 of this article.

**Sec. 90-189. Docks, boat davits and boat lifts in the bay beach zone.**

The fee docks, boat davits and boat lifts in the bay beach zone shall be the applicable permit fee from division 4 of this article.

**Sec. 90-190. Automotive repair shops and marine sales and repair shops.**

The fee for automotive repair shops and marine sales and repair shops shall be the applicable development permit fee from division 2 of this article.

**Sec. 90-191. Coin-operated laundries.**

The fee for coin-operated laundries shall be the applicable development permit fee from division 3 of this article.

**Sec. 90-192. Erosion control structures on natural bodies of water.**

The fees for erosion control structures on natural bodies of water shall be one percent of the estimated cost of the improvement up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than \$431.00 ~~\$426.00~~.

**Sec. 90-193. Accessory security guardhouses and security gates without setbacks.**

The fees for accessory security guardhouses and security gates without setbacks shall be one percent of the estimated cost of the improvement up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than \$431.00 ~~\$426.00~~.

**Sec. 90-194. Seawalls in manmade canals.**

The fee for seawalls in manmade canals shall be one percent of the estimated cost of the improvement up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than \$431.00 ~~\$426.00~~.

**Sec. 90-195. Telecommunications devices.**

The fee for telecommunications devices shall be one percent of the estimated cost of improvement up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than \$431.00 ~~\$426.00~~.

**Secs. 90-196--90-210. Reserved.**

**DIVISION 8. TEMPORARY USES**

\*\*\*

**Sec. 90-212. Sales offices in a model home.**

The development permit fee for sales offices in a model home (subsection 126-63(1)) shall be \$431.00 ~~\$426.00~~.

**Sec. 90-213. Temporary structure.**

The development permit fee for a temporary structure for a permitted use when the permitted use has been interrupted by reason of storm, fire or other casualty (subsection 126-63(2)) shall be \$431.00 ~~\$426.00~~.

**Sec. 90-214. Storage of heavy equipment.**

The development permit fee for the storage of heavy equipment (subsection 126-63(3)) shall be \$431.00 ~~\$426.00~~.

**Sec. 90-215. Other temporary uses.**

The development permit fee for other temporary uses not specifically listed shall be one percent of estimated cost of the proposed temporary use up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than \$431.00 ~~\$426.00~~.

**Secs. 90-216--90-235. Reserved.**

**ARTICLE III. WASTEWATER DISPOSAL PERMITS**

\*\*\*

**DIVISION 2. SEPTIC SYSTEMS**

**Sec. 90-251. Installation of new facility; replacement of an existing system.**

(a) *Residential uses.* The permit fee for installation of a new facility, including the replacement of an existing system shall be \$1,024.00 ~~\$1,013.00~~ for septic systems with estimated wastewater flows of up to 600 gallons per day, plus \$215.00 ~~\$213.00~~ for each additional 150 gallons of estimated flow per day, or fraction thereof.

(b) *Nonresidential uses.* The permit fee for nonresidential uses shall be \$1,454.00 ~~\$1,439.00~~ for septic systems with estimated wastewater flows of up to 600 gallons per day, plus \$593.00 ~~\$587.00~~ for each additional 200 gallons of estimated flow per day, or fraction thereof.

**Sec. 90-252. Repairs to an existing malfunctioning septic system.**

The permit fees for repairs to an existing malfunctioning septic system, including emergency repairs shall be one percent of the estimated cost of the repair, but not less than \$281.00 ~~\$278.00~~.

**DIVISION 3. SEWER SYSTEM**

**Sec. 90-271. New sewer connection (non-gravity connection).**

(a) *Residential uses.* The permit fee for new sewer connections for residential uses shall be \$1,024.00 ~~\$1,013.00~~ for developments with estimated wastewater flows of up to 600 gallons per day, plus \$215.00 ~~\$213.00~~ for each additional 150 gallons of estimated flow per day, or fraction thereof.

(b) *Nonresidential uses.* The permit fee for new sewer connections for nonresidential uses shall be ~~\$1,454.00~~ ~~\$1,439.00~~ for developments with estimated wastewater flows of up to 600 gallons per day, plus ~~\$593.00~~ ~~\$587.00~~ for each additional 200 gallons of estimated flow per day, or fraction thereof.

**Sec. 90-272. Repairs to existing malfunctioning components.**

The permit fee for repairs to existing malfunctioning components of sewer system shall be one percent of the estimated cost of the repair up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than ~~\$281.00~~ ~~\$278.00~~.

**Sec. 90-273. Expansion or modification to existing functional system.**

The permit fee for expansion or modification to an existing functional sewer system shall be one percent of the estimated cost of the expansion or modification up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than ~~\$431.00~~ ~~\$426.00~~.

**DIVISION 5. ALTERNATIVE SYSTEMS**

**Sec. 90-311. Generally.**

For alternative wastewater disposal systems not specifically described, the fee shall be based upon the estimated daily flow for the proposed system at a rate of ~~\$3.00~~ ~~\$2.95~~ per gallon per day. However, in no event shall the fee be less than ~~\$1,454.00~~ ~~\$1,439.00~~.

**Secs. 90-312--90-330. Reserved.**

**ARTICLE IV. PUBLIC HEARINGS**

\*\*\*

**DIVISION 2. SANIBEL PLAN AMENDMENT**

\*\*\*

**Sec. 90-347. Amendments to official maps; Sanibel Plan Article 4.**

(a) Fees for amendment to the future land use map series (Sanibel Plan Section 4.1.1.) shall be as follows:

(1) *Ecological zones map.* The fee for amendment to the ecological zones map shall be ~~\$16,690.00~~ ~~\$16,509.00~~ for up to one acre affected by the proposed change, plus ~~\$1,293.00~~ ~~\$1,279.00~~ for each additional acre, or fraction thereof, affected by the proposed change.

(2) *Commercial district map.* The fee for amendment to the commercial district map shall be ~~\$16,690.00~~ ~~\$16,509.00~~ for up to one acre affected by the proposed change, plus ~~\$1,293.00~~ ~~\$1,279.00~~ for each additional acre or fraction thereof, affected by the proposed change.

(3) *Resort housing district map.* The fee for amendment to the resort housing district map shall be \$16,690.00 ~~\$16,509.00~~ for up to one acre affected by the proposed change, plus \$1,293.00 ~~\$1,279.00~~ for each additional acre, or fraction thereof, affected by the proposed change.

(4) *Wetlands conservation lands maps.* The fee for amendment to the wetlands conservation lands maps shall be \$16,690.00 ~~\$16,509.00~~ for up to one acre affected by the proposed change, plus \$1,293.00 ~~\$1,279.00~~ for each additional acre, or fraction thereof, affected by the proposed change.

(5) *Development intensity maps.* The fee for amendment to the development intensity maps shall be \$16,690.00 ~~\$16,509.00~~ for the first dwelling unit in addition to the maximum density permitted, plus \$2,047.00 ~~\$2,025.00~~ for each additional dwelling unit proposed for the parcel and included in the same application.

(6) *Additional components of the future land use map series.* The fee for amendment to the additional components of the future land use map series shall be \$16,690.00 ~~\$16,509.00~~ for each proposed change to any individual map.

(b) *Future traffic circulation map series (Sanibel Plan section 4.1.2.).* The fee for amendment to the future traffic circulation map series (Sanibel Plan section 4.1.2.) shall be \$16,690.00 ~~\$16,509.00~~ for each proposed change to any individual map.

**Sec. 90-348. Amendments to text of Sanibel Plan.**

(a) *Goal, objective or policy amendment.* The fees for amendment to the goal, objective or policy of the Sanibel Plan shall be \$16,690.00 ~~\$16,509.00~~ for the first goal, objective or policy, plus \$2,047.00 ~~\$2,025.00~~ for each additional goal, objective or policy included with the same application.

(b) *All other text amendments.* The fees for all other text amendments to the Sanibel Plan shall be \$16,690.00 ~~\$16,509.00~~ for the first Sanibel Plan section proposed for amendment, plus \$2,047.00 ~~\$2,025.00~~ for each additional Sanibel Plan section included in the same application.

**DIVISION 3. LAND DEVELOPMENT CODE**

\*\*\*

**Sec. 90-366. Amendment to commercial zoning map.**

The fee for amendment to the commercial zoning map of the city (section 126-242) shall be \$5,600.00 ~~\$5,539.00~~ for up to one acre affected by the proposed change, plus \$2,047.00 ~~\$2,025.00~~ for each additional acre, or fraction thereof, affected by the proposed change.

**Sec. 90-367. Application to establish special use district.**

The fee for an application to establish a special use district shall be ~~\$5,600.00~~ ~~\$5,539.00~~ for up to one acre, plus ~~\$2,047.00~~ ~~\$2,025.00~~ for each additional acre, or fraction thereof, included in the proposed special use district.

**Sec. 90-368. Application to amend text of land development code.**

The fee for an application to amend the text of the land development code (chapter 82, article VI) shall be ~~\$5,600.00~~ ~~\$5,539.00~~ for the first section of the land development code amended, plus ~~\$1,024.00~~ ~~\$1,013.00~~ for each additional section included with the same application.

**Sec. 90-369--90-385. Reserved.**

**DIVISION 4. CONDITIONAL USES**

\*\*\*

**Sec. 90-387. Public utility uses.**

The fee for a conditional use application for public utility uses (section 126-32) shall be ~~\$2,693.00~~ ~~\$2,664.00~~ plus ~~\$431.00~~ ~~\$426.00~~ per acre or fraction thereof for each acre, included with the same application.

**Sec. 90-388. Institutional uses.**

The fee for a conditional use application for institutional uses (section 126-33) shall be ~~\$2,693.00~~ ~~\$2,664.00~~ plus ~~\$431.00~~ ~~\$426.00~~ per acre or fraction thereof for each acre included with the same application.

**Sec. 90-389. Agriculture and aquaculture.**

The fee for a conditional use application for agriculture and aquaculture (section 126-34) shall be as follows:

(1) *Hives for keeping of bees.* The fee for a conditional use application for hives for keeping of bees shall be ~~\$2,693.00~~ ~~\$2,664.00~~.

(2) *Agriculture and aquaculture uses with on-site retail sales.* The fee for a conditional use application for agriculture and aquaculture uses with on-site retail sales shall be ~~\$2,693.00~~ ~~\$2,664.00~~ plus ~~\$431.00~~ ~~\$426.00~~ per acre or fraction thereof for each acre, included with the same application.

(3) *Other uses.* The fee for a conditional use application for other agricultural and aquaculture uses shall be ~~\$2,693.00~~ ~~\$2,664.00~~ plus ~~\$431.00~~ ~~\$426.00~~ per acre or fraction thereof for each acre, included with the same application.

**Sec. 90-390. Recreational facilities.**

The fee for a conditional use application for recreational facilities (126-35) shall be \$2,693.00 ~~\$2,664.00~~, plus \$431.00 ~~\$426.00~~ per acre or fraction thereof for each acre, included with the same application.

**Sec. 90-391. Resort housing accessory commercial uses.**

The fee for a conditional use application for resort housing accessory commercial uses (sections 126-83 and 126-102) shall be as follows:

(1) *Real estate sales and rental offices.* The fee for a conditional use application for real estate sales and rental offices shall be \$2,693.00 ~~\$2,664.00~~.

(2) *Retail sales of food items and sundries.* The fee for a conditional use application for retail sales of food items and sundries shall be \$2,693.00 ~~\$2,664.00~~.

(3) *Restaurants.* The fee for a conditional use application for restaurants shall be \$3,231.00 ~~\$3,196.00~~, plus \$28.50 ~~\$28.00~~ per seat.

(4) *Rentals of nonmotorized equipment and/or recreational lessons.* The fee for a conditional use application for rentals of nonmotorized equipment and/or recreational lessons shall be \$2,693.00 ~~\$2,664.00~~, plus \$86.50 ~~\$85.50~~ per item for each piece of equipment included in the rental inventory.

**Sec. 90-392. Foster family homes.**

The fee for a conditional use application for foster family homes (section 126-84) for either the conversion of existing dwelling unit or new development shall be \$2,664.00 ~~\$2,588.00~~ per unit.

**Sec. 90-393. Increased-density below market rate housing.**

The fee for a conditional use application for increased-density below market rate housing shall be \$2,693.00 ~~\$2,664.00~~ for the first dwelling unit in excess of the permitted residential density, plus \$1,024.00 ~~\$1,013.00~~ for each additional dwelling unit exceeding permitted residential density and included in the same application. Fees for the Below Market Rate Housing Program are set by city council.

**Sec. 90-394. Residential child caring facilities and assisted living facilities.**

The fee for a conditional use application for residential child caring facilities and assisted living facilities (section 126-86) for the conversion of existing dwelling unit or new development shall be \$2,693.00 ~~\$2,664.00~~ for up to three bedrooms, plus \$431.00 ~~\$426.00~~ for each additional bedroom included with the same application.

**Sec. 90-395. Combined residential and commercial development.**

The fee for a conditional use application for combined residential and commercial development (section 126-88) shall be \$2,693.00 ~~\$2,664.00~~, plus \$431.00 ~~\$426.00~~ per acre, or fraction thereof, for each included within the same application.

**Sec. 90-396. Outdoor storage.**

The fee for a conditional use application for outdoor storage (section 126-88) shall be \$2,693.00 ~~\$2,664.00~~ for up to 1,000 square feet of area, plus \$215.00 ~~\$213.00~~ for each additional 250 square feet of area, or fraction thereof, included with the same application.

**Sec. 90-397. Rehabilitation centers and social service homes.**

The fee for a conditional use application for rehabilitation centers and social service homes (section 126-89) shall be \$2,693.00 ~~\$2,664.00~~ for up to 2,000 square feet of floor area, plus \$1,024.00 ~~\$1,013.00~~ for each additional 1,000 square feet of floor area, or fraction thereof, included with the same application.

**Sec. 90-398. Drive-in and drive-through facilities.**

The fee for a conditional use application for drive-in and drive-through facilities (section 126-90) shall be \$2,693.00 ~~\$2,664.00~~ for the first station, plus \$1,024.00 ~~\$1,013.00~~ for each additional station included with the same application.

**Sec. 90-399. Eating places, restaurants, grocery stores, delicatessen stores, etc., not as a permitted use.**

The fee for a conditional use application for eating places, restaurants, grocery stores, delicatessen stores, food markets, carry-out food stores not listed as a permitted use, including ice cream shops, and any permitted commercial use involving on-site food preparation or processing (section 126-91) shall be as follows:

(1) For any commercial use regulated by section 126-91 without on-site seating the fee shall be \$3,139.00 ~~\$3,105.00~~ for up to 800 square feet of floor area, plus \$1,293.00 ~~\$1,279.00~~ for each additional 500 square feet of floor area, or fraction thereof.

(2) For any commercial use regulated by section 126-91 with on-site seating the fee shall be \$3,315.00 ~~\$3,729.00~~ plus \$28.50 ~~\$28.00~~ per seat.

**Sec. 90-400. Motion picture theaters, except drive-in, and theaters for live performances.**

The fee for a conditional use application for motion picture theaters, except drive-in, and theaters for live performances (section 126-92) shall be \$2,693.00 ~~\$2,664.00~~ plus \$28.50 ~~\$28.00~~ for each seat included with the application.

**Sec. 90-401. Gasoline service stations.**

The fee for a conditional use application for gasoline service stations (section 126-93) shall be \$3,662.00 ~~\$3,6230.00~~ for up to 1,000 square feet of commercial floor area, plus \$431.00 ~~\$426.00~~ for each additional 250 square feet of commercial floor area, or fraction thereof, included with the same application.

**Sec. 90-402. Vehicle rental and leasing.**

The fee for a conditional use application for automotive rental and leasing, boat and canoe rentals, motorcycle rentals, including mopeds, and rental of bicycles (section 126-94) shall be \$2,693.00 ~~\$2,664.00~~ for up to 500 square feet of commercial floor area, plus \$431.00 ~~\$426.00~~ for each additional 250 square feet of commercial floor area, or fraction thereof.

**Sec. 90-403. Car washes.**

The fee for a conditional use application for car washes (section 126-95) shall be \$2,693.00 ~~\$2,664.00~~ for up to 1,000 square feet of commercial floor area, plus \$431.00 ~~\$426.00~~ for each additional 250 square feet of commercial floor area, or fraction thereof.

**Sec. 90-404. Docks, boat davits and boat lifts in the bay beach zone.**

The fee for a conditional use application for docks, boat davits and boat lifts in the bay beach zone (section 126-96) shall be \$2,693.00 ~~\$2,664.00~~ for up to 500 square feet in dock surface area waterward of the approximate mean high water line, plus \$215.00 ~~\$213.00~~ for each additional 100 square feet of dock surface area waterward of the approximate mean high water line.

**Sec. 90-405. Automotive repair shops and marine sales and repair shops.**

The fee for a conditional use application for automotive repair shops and marine sales and repair shops (section 126-97) shall be \$2,693.00 ~~\$2,664.00~~ for up to 1,000 square feet of commercial floor area, plus \$431.00 ~~\$426.00~~ for each additional 500 square feet of commercial floor area, or fraction thereof.

**Sec. 90-406. Coin-operated laundries.**

The fee for a conditional use application for coin-operated laundries (section 126-98) shall be \$2,693.00 ~~\$2,664.00~~ for up to 1,000 square feet of commercial floor area, plus \$431.00 ~~\$426.00~~ for each additional 250 square feet of commercial floor area, or fraction thereof.

**Sec. 90-407. Erosion control structures on natural bodies of water.**

The fee for a conditional use application for erosion control structures on natural bodies of water (section 126-99) shall be \$2,693.00 ~~\$2,664.00~~ for up to 100 lineal feet, plus \$431.00 ~~\$426.00~~ for each additional 50 lineal feet, or fraction thereof.

**Sec. 90-408. Accessory security guardhouses and security gates without setbacks.**

The fee for a conditional use application for accessory security guardhouses and security gates without setbacks (section 126-100) shall be \$2,693.00 ~~\$2,664.00~~ for the first structure, plus \$431.00 ~~\$426.00~~ for each additional structure included with the same application.

**Sec. 90-409. Seawalls in manmade canals.**

The fee for a conditional use application for seawalls in manmade canals (section 126-101) shall be \$2,693.00 ~~\$2,664.00~~ for up to 200 lineal feet, plus \$215.00 ~~\$213.00~~ for each additional 100 lineal feet, or fraction thereof.

**Sec. 90-410. Telecommunications devices, including support structures.**

The fee for a conditional use application for telecommunication devices, including support structures (chapter 126, article 17) shall be one percent of the estimated cost of the telecommunications devices up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than \$3,231.00 ~~\$3,196.00~~.

**DIVISION 5. INTERPRETATION OF LANGUAGE**

**Sec. 90-426. Generally.**

For an application filed pursuant to chapter 82, article III, division 3, subdivision III, requesting a planning commission interpretation of language contained in the Sanibel Plan or the land development code, the fee shall be \$2,693.00 ~~\$2,664.00~~ for the first section for which an interpretation of language is requested, plus \$755.00 ~~\$747.00~~ per section for any additional section included with the same application.

**Secs. 90-427--90-445. Reserved.**

**DIVISION 6. NONCONFORMING USES**

**Sec. 90-446. Re-establishment or change.**

(a) *Re-establishment.* The fee for an application for the re-establishment of abandoned nonconforming use (section 82-261) shall be \$2,693.00 ~~\$2,664.00~~.

(b) *Change.* The fee for an application for a change of a nonconforming use to a less intense use (section 82-262) shall be \$2,693.00 ~~\$2,664.00~~.

**Sec. 90-447. Relief from reconstruction limitations.**

For an application filed pursuant to chapter 82, article II, division 2 requesting relief from reconstruction limitations on a nonconforming use or structure the fee shall be one percent of the estimated replacement cost of the damaged or destroyed structure up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than \$2,693.00 ~~\$2,664.00~~.

**DIVISION 7. TEMPORARY USES**

**Sec. 90-467. Sales offices in a model home.**

The fee for a temporary use application for sales offices in a model home (subsection 126-63(1)) shall be \$2,693.00 ~~\$2,664.00~~.

**Sec. 90-468. Temporary structure.**

The fee for a temporary use application for a temporary structure for a permitted use when the permitted use has been interrupted by reason of storm, fire or other casualty (subsection 126-63(2)) shall be \$2,693.00 ~~\$2,664.00~~.

**Sec. 90-469. Storage of heavy equipment.**

The fee for a temporary use application for the storage of heavy equipment (subsection 126-63(3)) shall be \$2,693.00 ~~\$2,664.00~~.

**Sec. 90-470. Other temporary uses.**

The fee for a temporary use application for other temporary uses not specifically listed shall be one percent of the estimated cost of the proposed temporary use up to \$1,000,000 in value and 0.5% of the next \$500,000 in value and 0.25% of the value in excess of \$1,500,000, but not less than \$2,693.00 ~~\$2,664.00~~.

**Secs. 90-471--90-485. Reserved.**

**DIVISION 8. VARIANCES**

**Sec. 90-486. Generally.**

For an application filed pursuant to section 82-136 et seq., requesting a variance from any requirement set forth in the applicable provisions of this land development code, the fee shall be \$2,881.00 ~~\$2,850.00~~ for one variance to one regulation, plus \$755.00 ~~\$747.00~~ for each additional variance request to each separate regulation, when included with the same application for the same parcel.

**Sec. 90-487. Zone boundary interpretation.**

For an application filed pursuant to section 82-181 et seq., requesting a determination of the exact location of a zone line, the fee shall be \$2,881.00 ~~\$2,850.00~~ for up to one acre affected by the determination, plus \$431.00 ~~\$426.00~~ for each additional acre, or fraction thereof, affected by the determination.

**SECTION 2. All prior resolutions and ordinances relating to fees are superceded.**

The Planning, Development Review, Administrative Services and related fees set forth in this Ordinance (noted by underlining) shall constitute the currently adopted fees of the City of Sanibel and all prior ordinances and resolutions are hereby repealed and superceded to the extent of any conflict herewith.

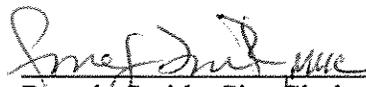
**SECTION 3. Effective Date.**

This Ordinance shall be effective immediately upon adoption.

**DULY PASSED AND ENACTED** by the Council of the City of Sanibel, Florida, this 10<sup>th</sup> day of September, 2016.

**AUTHENTICATION:**

  
\_\_\_\_\_  
Kevin Ruane, Mayor

  
\_\_\_\_\_  
Pamela Smith, City Clerk

**APPROVED AS TO FORM:**  9/10/16  
Kenneth B. Cuyler, City Attorney Date

**Vote of Council Members:**

Ruane        yea  
Denham     yea  
Goss        yea  
Harrity     yea  
Jennings    yea

First Reading: August 2, 2016  
Publication Date: August 31, 2016  
Second Reading: September 10, 2016

Date Filed with City Clerk: September 10, 2016