

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
SEP 16 2008 *SB/WP/BS*

RESOLUTION
of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
Regarding
**CERTAIN SERVICE FEES CHARGED BY THE ORANGE COUNTY
GROWTH MANAGEMENT DEPARTMENT**

Resolution No. 2008-M-46

WHEREAS, the Board of County Commissioners (the “Board”) has authority by law to establish and, from time to time, amend fees charged by the various departments of Orange County Government for various services rendered to the public; and

WHEREAS, for such services rendered to the public, Orange County can legally charge a fee that captures the reasonable cost associated with administrative, personnel services, operating, capital, and overhead to provide that service; and

WHEREAS, the Growth Management Department, as well as an outside consultant, have conducted studies (the “Studies”) to determine reasonable costs associated with the implementation of school concurrency; and

WHEREAS, the Office of Management and Budget has reviewed the Studies and concurs with their findings; and

WHEREAS, the Orange County Public School Board (the “School Board”) has conducted an internal study regarding the fees it will need to charge to implement school concurrency, the schedule of which is attached hereto as “Exhibit B”; and

WHEREAS, Orange County’s Growth Management Department will be collecting certain of the School Board’s fees and remitting those particular fees to the School Board; and

WHEREAS, the Studies indicate that certain adjustments and additions need to be made to the existing fee schedule in order to establish fees that will adequately cover the costs of providing services related to the implementation of school concurrency, eliminate the subsidization of certain services by County tax payers and equitably charge users of the services provided by Orange County Growth Management Department; and

WHEREAS, if no appeal is made to the Department of Community Affairs by an interested party by September 16, 2008 (an “Appeal”), school concurrency will become effective on September 17, 2008; and

WHEREAS, the Orange County Growth Management Department recommends that the attached revised schedule of fees for the services related to school concurrency be approved by the Board to become effective for any school concurrency-related application submitted on or after September 17, 2008 provided no Appeal is made.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

Section 1. The Board of County Commissioners of Orange County, Florida hereby approves the schedule of fees attached hereto as "Exhibit A" and thereby amends certain existing fees and establishes certain new fees to become effective for any school concurrency-related application that is made on or after September 17, 2008 provided school concurrency becomes effective on that date. The Board further determines that such fees shall be adjusted annually, effective October 1 of each year, with such fees to be adjusted at a rate consistent with the consumer price index or 3%, whichever is more.

Section 2. This Resolution shall take effect immediately, and the rates established hereby shall take effect on September 17, 2008 provided school concurrency becomes effective on that date.

ADOPTED THIS 16th DAY OF September, 2008

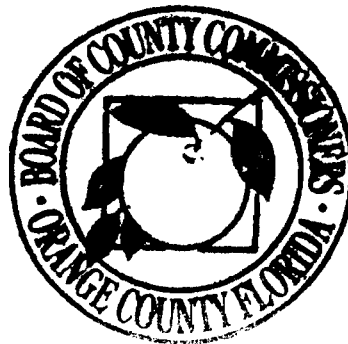
ORANGE COUNTY, FLORIDA

By: Richard T. Crotty
Richard T. Crotty
County Mayor

DATE: 9.17.08

Attest: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

BY: Martha O. Haynie
Deputy Clerk



School Concurrency Fees

"Exhibit A"

Application Type	Current Fee	OCPS Fee	Orange County Residential Incremental Fee	New Assessment all Concurrency
Capacity Information Letter	\$ 202	\$ 120	\$ 101	\$ 423
Capacity Encumbrance	\$ 1,231	\$ 600	\$ 135	\$ 1,966
Reservation Certificates (CRC)	\$ 165		\$ 482	\$ 647
CRC Extensions	\$ 51		\$ 84	\$ 135
Vested Rights	\$ 1,565		\$ 138	\$ 1,703
Appeals Staff determinations	\$ 195			\$ 195
Plans Review	\$ 181		\$ 120	\$ 301
Concurrency Review Committee	\$ 790			\$ 790
School Proportionate Share	\$ 0	Varies by size	\$ 144	Varies by size

OCPS - Fee Schedule

"Exhibit B"

Informal CEP/ Concurrency Inquiry		CEP/ Concurrency Application		CEP/ Concurrency Mitigation or CEP Release Agreements *		CEP/ Concurrency Verification Letter		CEP/ Concurrency Extension of Mitigation Plan Amendment or Extension*	
All Units	\$ 120	All Units	\$ 600	1 to 50 units	\$ 1,500	\$	100	1 to 50 units	\$ 1,000
				51 to 200 units	\$ 2,000			51 to 200 units	\$ 1,500
				201 to 500 units	\$ 4,000			201 to 500 units	\$ 3,000
				501 to 1000 units	\$ 6,000			501 to 1000 units	\$ 4,000
				1001 + units	\$ 7,000			1001 + units	\$ 5,000
Additional Fee for DRI Review or NOPC				\$ 1,000	\$ 3,000			\$ 2,000	

Notes:	* Recording fees paid by applicant
Where multiple property owners apply under a single application (consortiums), the OCPS Chief Financial Officer may adjust fees for multiple mitigation agreements in consideration of staff time needed to process the consortium applications.	
Concurrency approvals without mitigation agreements are subject to the annual payment of a capacity reservation fee in the amount of 1/3 of the project's estimated impact fees to hold the capacity reservation for 3 years. Reservation fees are payable upon the approval of the preliminary plat, site plan or functional equivalent by the local government	
Concurrency approvals requiring a mitigation agreement are subject to payment of any net proportionate share and the payment of impact fees at approval of the preliminary plat, site plan or functional equivalent. Where early concurrency is granted at Comprehensive Plan or Rezoning, the net proportionate share and an annual reservation fee of 1/3 of the estimated impact fees is payable upon the approval of the comprehensive plan amendment or rezoning by the local government.	
For CEP mitigation, net proportionate share (or other mitigation) is payable upon the approval of the comprehensive plan or rezoning.	