

ORDINANCE NO. 45-2024

AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING COMMUNITY DEVELOPMENT FEES BY AMENDING DEVELOPMENT REVIEW PROCEDURES MANUAL SECTIONS 17.1 "COMPREHENSIVE PLAN AMENDMENT, ZONING/REZONING, CONDITIONAL USE PERMITS, DEVELOPMENT REVIEW COMMITTEE AND MASTER PLAN FEES", 17.4 "BOARD OF ADJUSTMENTS AND APPEALS FEES", 17.5. DEVELOPMENT AGREEMENT/VESTED RIGHTS APPLICATION/BENEFICIAL USE DETERMINATION/TRANSFER OF DEVELOPMENT RIGHTS/ADMINISTRATIVE WAIVER", AND 17.6 "VACATING RIGHTS-OF-WAY AND EASEMENT/STREETS RENAMING"; BY ADDING A NEW SECTION 17.8 "BUILDING RELOCATION PURSUANT TO CHAPTER 6-10, BUILDINGS AND BUILDING REGULATIONS, AMENDMENTS" TO PROVIDE A BUILDING RELOCATION FEE; BY RENUMBERING AND AMENDING SECTION 17.8 "FEE REFUND/WAIVER POLICY" TO BE SECTION 17.9; AND BY ADDING A NEW SECTION 17.10 "SPECIAL CIRCUMSTANCES" AUTHORIZING CITY TO COLLECT FEES EQUAL TO COST IF NEW ADVERTISING REQUIREMENTS ARE CREATED; PROVIDING FOR FINDINGS, SEVERABILITY, REPEAL OF CONFLICTING ORDINANCES, INCORPORATION INTO THE CODE AND AN EFFECTIVE DATE.

WHEREAS, the City of Titusville offers a number of significant services to its residents, businesses owners and visitors for which it charges fees that should be commensurate with the cost incurred by the City to perform the services including the cost of advertising as required by Statute, and

WHEREAS, these fees have been established by the City, and the City desires to amend the Development Review Procedures Manual Section 17 by this ordinance, and adopt certain new fees in order to include the cost of required advertising into the fees for ease of understanding by the public and implementation by the City.

NOW, THEREFORE, BE IT ENACTED by the City of Titusville, Florida as follows

SECTION 1. Recitals. The foregoing recitals are deemed true and correct and are hereby incorporated herein by this reference.

SECTION 2: That the Code of Ordinances, City of Titusville Development Review Procedures Manual, Section 17.1 "Comprehensive Plan Amendment, Zoning/Rezoning, Conditional Use Permits, Development Review Committee and Master Plan Fees", is hereby amended to read as follows

- 17.1. *Comprehensive Plan Amendment, Zoning/Rezoning, Conditional Use Permits, Development Review Committee, and other Master Plan Fees.*
 - (a) Comprehensive Plan Amendment (CPA) \$3,025.00,
Plus \$8.00 per acre.
 - (b) Comprehensive Plan Amendment with Annexation \$4,475.00, Plus \$8.00 per acre.
 - (c) Small Scale Comprehensive Plan Amendment (SSA) \$1,950.00, Plus \$8.00 per acre.
 - (d) Comprehensive Plan Amendment (Text Amendment) \$2,185.00
 - (e) Land Development Regulations Amendment \$2,575.00

- (f) Zoning/Rezoning (When not accompanied by a CPA) \$1,875.00, Plus \$8.00 per acre.
- (g) Conditional Use (CUP) \$1,775.00, Plus \$8.00 per acre
- (h) Planned Industrial Park, Planned Unit Development, Urban Village Zoning and other Master Plan approval or amendment \$1,825.00,
Plus \$8.00 per acre and \$8.00 per lot/dwelling unit (The \$8.00 per acre fee for a Master Plan will not be collected when the Master Plan is accompanied by a CPA or REZ).
- (i) Development Review Committee \$250.00.

SECTION 3: That the Code of Ordinances, City of Titusville Development Review Procedures Manual, Section 17.4 "Board of Adjustment and Appeals Fees", is hereby amended to read as follows:

17.4 Board of Adjustment and Appeals Fees.

- (a) Appeals from decision of an administrative official: \$650.00, (Should the Board sustain the appeal, fee is refunded).

(b) Variances

- (1) Single-family, multifamily zoning districts and non-profit organization properties: \$440.00.
- (2) All commercial, industrial, mixed use and any other district/uses not listed in subsection (b)(1) above: \$700.00.
- (3) Subsequent items processed at the same time as the first item: \$100.00 per additional request.
- (c) Public Purpose Variances \$700.00

SECTION 4: That the Code of Ordinances, City of Titusville Development Review Procedures Manual, Section 17.5 "Development agreement/vested rights application/beneficial use determination/transfer of development rights/administrative waiver", is hereby amended to read as follows:

17.5. Development agreement/vested rights application/beneficial use determination/transfer of development rights/administrative waiver.

- (a) Development Agreement \$1,825.00,

plus \$8.00 per dwelling unit/1,000 square feet nonresidential.

- (b) Vested Rights Application \$1,575.00,

plus \$8.00 per dwelling unit/1,000 square feet nonresidential.

- (c) Beneficial Use Determination Based upon remedy requested.

- (1) Comprehensive Plan Amendment \$3,025.00, Plus \$8.00 per acre per dwelling unit/1,000 square feet nonresidential.
- (2) Small Scale Comprehensive Plan Amendment \$1,950.00, Plus \$8.00 per acre per dwelling unit/1,000 square feet nonresidential
- (3) Comprehensive Plan Text Amendment \$2,185.00.

- (4) Rezoning (When not accompanied by a CPA) \$1,875.00, Plus \$8.00 per acre per dwelling unit/1,000 square feet nonresidential.
- (5) Conditional Use Permit \$1,775.00

plus \$8.00 per dwelling unit/1,000 square feet nonresidential

- (d) Transfer of Development Rights \$725.00,

plus \$8.00 per dwelling unit.

- (e) Administrative Waiver of Setbacks/Minimum Lot Size \$105.00.

SECTION 5: That the Code of Ordinances, City of Titusville Development Review Procedures Manual, Section 17.6 "Vacating rights-of-way and easements/street renaming", is hereby amended to read as follows:

17.6. Vacating rights-of-way and easements/street renaming.

- (a) Vacating and Abandoning Rights-of-Way (ROWS) Streets and Alleys: \$1,410.00.
- (b) Vacating and Abandoning of Plats: \$1,475.00.
- (c) Vacating Easement: \$1,410.00.
- (d) Street Renaming: \$630.00.

SECTION 6. That the Code of Ordinances, City of Titusville is hereby amended by adding a section, to be numbered Development Review Procedures Manual, Section 17.8 "Building Relocation Pursuant to Chapter 6-10, Buildings and Building Regulations, Amendments", which said section reads as follows:

17.8 Building Relocation Pursuant to Chapter 6-10, Buildings and Building Regulations, Amendments

- (a) *Building Relocation:* \$200.00.

SECTION 7: That the Code of Ordinances, City of Titusville Development Review Procedures Manual, Section 17.8 "Fee Refund/Waiver Policy", is hereby amended to read as follows:

17.9. Fee Refund/Waiver Policy. Requests for fee refunds or waivers shall be provided to the City Manager or designee in writing, and the request shall be evaluated based upon the following criteria

- (a) Advertising fees, which in some cases are included within the application fee, will be refunded if an application is withdrawn in writing prior to the City submitting the advertisement to the newspaper.
- (b) With the exception of building permit fees and advertising fees, waivers may be approved by the City Manager or designee for public projects or affordable housing projects.
- (c) The City Manager may waive fees during declared emergencies, for projects or situations related to the said emergency.
- (d) The City Manager may waive all or a portion of a fee, if the fee is the result of staff error.

(e) The City Manager or designee may waive the double building permit fee when justifiable cause has been demonstrated in writing.

SECTION 8: That the Code of Ordinances, City of Titusville is hereby amended by adding a section, to be numbered Development Review Procedures Manual, Section 17.9 "Special Circumstances", which section reads as follows:

17.10. Special Circumstances. Changes in Florida Statutes or special circumstances may require advertising of applications not listed above. The City Manager or designee shall require payment of advertising fees equal to the charge made to the City for the required advertisement(s).

SECTION 9: SEVERABILITY. If any provisions of this Ordinance are for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 10: REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS. All ordinances or parts of ordinances, and all resolutions and parts of resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 11: INCORPORATION INTO CODE. This ordinance shall be incorporated into the City of Titusville Code of Ordinances and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this ordinance and the Code may be made.

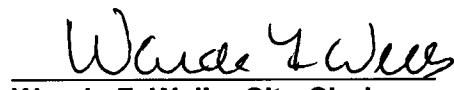
SECTION 12: EFFECTIVE DATE. This Ordinance shall be in full force and effect upon adoption by the City Council in accordance with the Charter of the City of Titusville, Florida.

PASSED AND ADOPTED this 10th day of December 2024.



Andrew Connors, Mayor

ATTEST:



Wanda F. Wells, City Clerk

