



COUNCIL AGENDA STATEMENT

Meeting Date: March 25, 2024

To: Honorable Mayor and City Councilmembers

From: Brian Shea, Planning Director

Through: George Garrett, City Manager

Agenda Item: **Resolution 2025-16**, Amending Temporary Use Permit Fees; And Providing For An Effective Date.

BACKGROUND & JUSTIFICATION:

This Resolution establishes a convenience fee for temporary use permit applications submitted past the required thirty (30) day deadline set forth in City of Marathon Code Chapter 12. The convenience fee is based on the increased staff time and urgency to process the application including, but not limited to, review of: the statement of use and activities of the temporary use permit, site plan, hold harmless agreement, plans for sanitation and public health protection, plans for public safety and emergency services, hours of operation, traffic control and access, lighting, and noise control.

Staff is recommending the Planning Director have the authority to waive the convenience fee for motion picture production applications that do not require the larger expedited review based upon Section 102.84 granting the director authority of approval of temporary use permits.

CONSISTENCY CHECKLIST:

	Yes	No
1. Comprehensive Plan	_____	_____
2. Other _____	_____	_____
3. Not Applicable	<u> X </u>	_____

FISCAL NOTE:

RECOMMENDATION:

Approval of Resolution

**CITY OF MARATHON, FLORIDA
RESOLUTION 2025-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MARATHON, FLORIDA, AMENDING TEMPORARY USE PERMIT
FEES; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Marathon (the “City”) Code Chapter 102, Article 16 is dedicated to permits for temporary uses, such as motion picture production, seasonal sales, temporary sales, and special events, which anticipate public participation to exceed 250 persons; and

WHEREAS, consistent with City of Marathon Code Chapter 102, Article 16, a temporary use approval shall be submitted at least thirty (30) days in advance of the event; and

WHEREAS, City Staff must have sufficient time to thoroughly review all elements of an application for the Temporary Use Permit including potential public input and opportunity to review potential conflicts; and

WHEREAS, Temporary Use Permit submitted less than thirty (30) days prior to the event causes increased staff time and urgency to process the application including, but not limited to, review of: the statement of use and activities of the temporary use permit, site plan, hold harmless agreement, plans for sanitation and public health protection, plans for public safety and emergency services, hours of operation, traffic control and access, lighting, and noise control; and

WHEREAS, Motion picture production can occur at many scales, some of which may not require all of the elements noted above; and

WHEREAS, City Council seeks to amend the fee schedule for Temporary Use Permit applications submitted pursuant to City of Marathon Code Chapter 102, Article 16 titled “Temporary Use Permits”; and

WHEREAS, pursuant to City of Marathon Code § 102.02, City Council is authorized to create a fee schedule via Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true, correct, and incorporated herein.

Section 2. The City of Marathon hereby adopts a convenience fee of one-thousand dollars (\$1,000) per day for each day a Temporary Use Permit application is submitted past the required thirty (30) day deadline set forth in City of Marathon Code Chapter 102.

Section 3. The Planning Director has the ability to waive this convenience fee for those Temporary Use Permit applications that are for motion picture production that may not rise to the

expedited review standards, pursuant to approval criteria of Section 102.84.

Section 4. Effective Date. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 25TH DAY OF MARCH, 2025.

THE CITY OF MARATHON, FLORIDA

Lynn Landry, Mayor

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Diane Clavier, City Clerk

(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:

Steve Williams, City Attorney