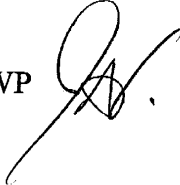




THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

**MCPB  
Item 5  
9/9/04**

**MEMORANDUM**

**TO:** Montgomery County Planning Board

**VIA:** Jorge A. Valladares, P.E., Chief, Environmental Planning/CWP   
 Jeff Zyontz, Chief, County-wide Planning Division 

**FROM:** Mark Pfefferle, Planning Coordinator 

**DATE:** September 3, 2004

**SUBJECT:** Filing Fees for Regulatory Applications in Special Protection Areas

**RECOMMENDATION:**

In order to implement County Council budget decisions, staff recommends the adoption of a surcharge for preliminary plan of subdivisions and site plans within Special Protection Areas. The proposed surcharge is the following:

| <b>SPA SURCHARGE</b>                             |                              |
|--|------------------------------|
| <b>PRELIMINARY PLAN</b>                          |                              |
| <b>Residential (Dwelling Units-DUs)</b>          | <b>Surcharge</b>             |
| 1 -9 DUs   | \$ 250                       |
| 10 - 49 DUs                                      | \$ 500                       |
| 50 DUs or more                                   | \$ 500 + \$10 per DU over 50 |
| <b>Commercial/Industrial (Square Footage-SF)</b> | <b>Surcharge</b>             |
| Up to 9,999 SF                                   | \$ 500                       |
| 10,000 - 24,999 SF                               | \$ 500                       |
| 25,000 SF or more                                | \$ 500                       |
| <b>Other</b>                                     | <b>Surcharge</b>             |
| Institutional/Religious                          | \$ 500                       |
| Amend Approved Plans                             | No Charge                    |

|  |                              |
|--|------------------------------|
| Extension of Approved Plan                       | No Charge                    |
| Subdivision Regulation Waiver                    | No Charge                    |
| Sign Deposit                                     | No Charge                    |
| <b>PROJECT PLAN</b>                              |                              |
| Residential (DU)                                 | No Charge                    |
| Commercial                                       | No Charge                    |
| Amendment  | No Charge                    |
| Extension  | No Charge                    |
| Sign Deposit                                     | No Charge                    |
| <b>SITE PLAN</b>                                 |                              |
| <b>Residential (Dwelling Units-DUs)</b>          | <b>Surcharge</b>             |
| 1 –9 DUs   | \$ 250                       |
| 10 – 49 DUs                                      | \$ 500                       |
| 50 DUs or more                                   | \$ 500 + \$10 per DU over 50 |
| <b>Commercial/Industrial (Square Footage-SF)</b> | <b>Surcharge</b>             |
| Up to 9,999 SF                                   | \$ 500                       |
| 10,000 – 24,999 SF                               | \$ 500                       |
| 25,000 SF or more                                | \$ 500                       |
| <b>Other</b>                                     | <b>Surcharge</b>             |
| Institutional/Religious                          | \$ 500                       |
| Major Amendments                                 | Same as site plan            |

All surcharges to be submitted by the applicant at the time of preliminary, or site, plan submission to M-NCPPC and prior to any application being classified as complete. This would be effective for applications accepted as complete beginning September 10, 2004.

**FEEES ASSOCIATED WITH PRELIMINARAY PLANS OF SUBDIVISION AND SITE PLANS WITHIN SPECIAL PROTECTION AREAS:**

As part of the County Council’s action on the Department’s Operating Budget, the Council directed the Department to adjust filing fees for regulatory applications to achieve 100 percent cost recovery for plan reviews.

The County Council recently approved the fourth Special Protection Area (SPA) in Montgomery County, Upper Rock Creek. This will place additional demands on staff resources. In the past, M-NCPPC did not apply fees for plans in Special Protection Areas. Section 19-67(e) of the Montgomery County Code allows the Planning Board to establish fees to offset the costs of plan review and enforcement for plans within Special Protection Areas.

Graphics identifying the Special Protection Areas are available at <http://www.mc-mncppc.org>, as well as on maps in Development Review and Environmental Planning.

In our FY 05 budget discussions, the County Council authorized a 0.5 full time equivalent (FTE) for the review of subdivision plans located within Special Protection Areas. With the authorization of the 0.5 FTE and the County Council’s direction to achieve 100 percent cost

recovery, it becomes necessary to levy additional fees for regulatory applications within Special Protection Areas. The Division estimates that at least \$35,000 is necessary to fund the 0.5 full time equivalent (FTE) in fiscal year 2005.

Based on data from June 2003 to May 2004, Environmental Planning staff reviewed 11 plans within Special Protection Areas. The reviews include pre-application water quality meetings, review of water quality plans for compliance with the *Environmental Guidelines* SPA requirements, report writing, and assessment of impervious amounts prior to Planning Board approval and after construction on the approved lots. Based on the proposed fee schedule sufficient monies would have been recovered to fund the additional 0.5 FTE.

In order to assure full cost recovery for the review of plans within Special Protection Areas, staff recommends that a SPA surcharge be established for plans, within Special Protection Areas, requiring preliminary plan of subdivision and site plan approval.

For your information, attached is a copy of the existing fee schedule for plan submissions.



8787 Georgia Avenue  
 Silver Spring, Maryland 20910-3760

www.mc-mncppc.org/development

Phone 301.495.4595  
 Fax 301.495.1306

## FEE SCHEDULE AND WORKSHEET

M-NPPPC Staff Use Only

*To be completed by the Applicant*

|                                    |  |
|------------------------------------|--|
| Applicant:                         |  |
| Project Name: (30 character limit) |  |

**Pre-Application Submission** (check applicable boxes)

|  |   |         |
|--|---|---------|
| <input type="checkbox"/> Staff Review Only                                   | \$620.00  | \$ 0.00 |
| <input type="checkbox"/> Staff and Planning Board Review                     | \$925.00  | \$ 0.00 |
| <input type="checkbox"/> Sign Deposit (Cluster Option)      \$70.00 per sign | Number of Signs: <u>0</u><br>(Sign refund: \$60.00) | \$ 0.00 |

**Natural Resources Inventory/Forest Stand Delineation** (check applicable boxes)

|   |          |         |
|---|----------|---------|
| <input type="checkbox"/> NRI/FSD  | \$350.00 | \$ 0.00 |
| <input type="checkbox"/> NRI/FSD Recertification Request                          | \$200.00 | \$ 0.00 |
| <input type="checkbox"/> Forest Conservation Exemption Request or Recertification | \$50.00  | \$ 0.00 |

**Forest Conservation Plan** (check applicable boxes)

|  |  |         |
|--|--|---------|
| <input type="checkbox"/> One Family Residential      \$200.00 + \$80 per lot    # lots <u>0</u> x \$80 = <u>0.00</u> |  | \$ 0.00 |
| <input type="checkbox"/> All Others      \$405.00 + \$120 per acre # acres <u>0</u> x \$120 = <u>0.00</u>            |  | \$ 0.00 |

**Preliminary Plan of Subdivision** (check applicable boxes)

Residential (Dwelling Units – DUs)

|   |   |         |
|---|---|---------|
| <input type="checkbox"/> 1 – 9 DUs      | \$1,535.00  | \$ 0.00 |
| <input type="checkbox"/> 10 – 49 DUs    | \$3,090.00  | \$ 0.00 |
| <input type="checkbox"/> 50 DUs or more | \$4,600.00 + \$30.00 per DU over 50    Number of DUs over 50: ▼<br><u>0</u> x \$30 = \$ <u>0.00</u> | \$ 0.00 |

Commercial/Industrial (Square Footage – SF)

|   |  |         |
|---|--|---------|
| <input type="checkbox"/> Up to 9,999 SF     | \$2,315.00   | \$ 0.00 |
| <input type="checkbox"/> 10,000 – 24,999 SF | \$3,090.00   | \$ 0.00 |
| <input type="checkbox"/> 25,000 SF or more  | \$4,600.00+\$0.03 per SF over 25,000    Number of SF over 25,000: ▼<br><u>0</u> x \$.03 = \$ <u>0.00</u> | \$ 0.00 |

Other

|   |   |         |
|---|---|---------|
| <input type="checkbox"/> Institutional/Religious  | \$1,535.00  | \$ 0.00 |
| <input type="checkbox"/> Amend Approved Plans      Same as Preliminary Plan (enter above) |   |         |
| <input type="checkbox"/> Extension of Approved Plan                                       | \$925.00  | \$ 0.00 |
| <input type="checkbox"/> Subdivision Regulation Waiver (50-38)                            | \$925.00  | \$ 0.00 |
| <input type="checkbox"/> Sign Deposit (Cluster Option)      \$70.00 per sign              | Number of Signs: <u>0</u><br>(Sign refund: \$60.00) | \$ 0.00 |

**Project Plan** (check applicable boxes)

|  |                                    |   |    |      |
|--|------------------------------------|---|----|------|
| <input type="checkbox"/> Residential (DUs) | \$2,460.00 + \$24.00 per DU        | DUs <u>0</u> x \$24 = <u>0.00</u>                   | \$ | 0.00 |
| <input type="checkbox"/> Commercial (GFA)  | \$2,460.00 + \$0.02 per SF         | SF <u>0</u> x \$0.02 = <u>0.00</u>                  | \$ | 0.00 |
| <input type="checkbox"/> Amendment         | Same as Project Plan (enter above) |   |    |      |
| <input type="checkbox"/> Extensions        | \$870.00                           |   | \$ | 0.00 |
| <input type="checkbox"/> Sign Deposit      | \$70.00 per sign                   | Number of Signs: <u>0</u><br>(Sign refund: \$60.00) | \$ | 0.00 |

**Site Plan** (check applicable boxes)

|  |                                      |   |    |      |
|--|--------------------------------------|---|----|------|
| <u>Residential (Dwelling Units – DUs)</u>                        |                                      |   |    |      |
| <input type="checkbox"/> 1 – 9 DUs                               | \$2,675.00                           |   | \$ | 0.00 |
| <input type="checkbox"/> 10 DUs or more                          | \$4,020.00 + \$27.00 per DU over 10  | Number of DUs over 10: ▼<br><u>0</u> x \$27 = \$ <u>0.00</u>      | \$ | 0.00 |
| <u>Commercial/Industrial (Square Footage – SF)</u>               |                                      |   |    |      |
| <input type="checkbox"/> Up to 9,999 SF                          | \$2,675.00                           |   | \$ | 0.00 |
| <input type="checkbox"/> 10,000 SF or more                       | \$4,020.00+\$0.02 per SF over 10,000 | Number of SF over 10,000: ▼<br><u>0</u> x \$0.02 = \$ <u>0.00</u> | \$ | 0.00 |
| <u>Other</u>   |                                      |   |    |      |
| <input type="checkbox"/> Institutional/Religious                 | \$2,675.00                           |   | \$ | 0.00 |
| <input type="checkbox"/> Major Amendments to Approved Site Plans | Same as Site Plan (enter above)      |   |    |      |

Minor Amendments to Approved Site Plans

| <u>Amendment Type</u>                            | <u>Application Process</u>  | <u>Changes</u>   | <u>Fee</u> |         |
|--|---|--|------------|---------|
| <input type="checkbox"/> Field Changes           | <ul style="list-style-type: none"> <li>Revised Drawing(s)</li> <li>No Application</li> </ul>                  | Minor adjustments to planting materials, recreation facilities, lighting poles, retaining walls, steps, pathways, etc. | None       | N/C     |
| <input type="checkbox"/> Minor Revisions w/o DRC | <ul style="list-style-type: none"> <li>Application*</li> <li>No DRC Meeting</li> <li>No PB Hearing</li> </ul> | Minor modification to landscape, lighting, building locations and hardscape  | \$300.00   | \$ 0.00 |
| <input type="checkbox"/> Minor Revisions w/ DRC  | <ul style="list-style-type: none"> <li>Application*</li> <li>DRC Meeting</li> <li>No PB Hearing</li> </ul>    | Minor amendment requiring coordination with other agencies   | \$1,500.00 | \$ 0.00 |

\* The application must include a letter explaining the nature, scope and reasons for the requested changes.

|                     |          |                        |    |      |
|---------------------|----------|------------------------|----|------|
| <b>Record Plats</b> | \$675.00 | Number of Plats: _____ | \$ | 0.00 |
|---------------------|----------|------------------------|----|------|

0.00

*Make Checks payable to the M-NCPPC*

Date Received  Received by