

ORDINANCE NO. 23-1()

AN ORDINANCE TO AMEND CHAPTER 1, GENERAL PROVISIONS, ARTICLE 5, FEE SCHEDULE, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 1, General Provisions, Article 5, Fee Schedule is hereby reordained and amended as follows:

By Adding:

Sec. 1-500	General Provisions
Sec. 1-501	Building Fees
Sec. 1-502	Subdivision Fees
Sec. 1-503	Water Protection Fees
Sec. 1-504	Zoning Fees
Sec. 1-505	Miscellaneous Fees

Chapter 1. General Provisions

ARTICLE 5
Fee Schedule

Sec. 1-500 – General Provisions

This Article establishes the fees charged for various activities throughout several chapters of the Albemarle County Code, pursuant to the authority provided by Virginia Code §§ 15.2-2241, 15.2-2286, 62.1-44.15, 36-98.3, and 36-105 and by Chapter 3 (Agricultural and Forestal Districts), Chapter 5 (Building Regulations), Chapter 7 (Health and Safety), Chapter 14 (Subdivision of Land), Chapter 17 (Water Protection), and Chapter 18 (Zoning) of the Albemarle County Code.

- A. Fee Waived. Any fee provided in this Article will be waived on all applications made by Albemarle County or the Albemarle County School Board.
- B. Mode of payment. Each fee provided in this Article must be paid by means acceptable to the County of Albemarle.
- C. Timing of Payment. Unless otherwise specified:
 - 1. All required fees must be paid in full at the time of application submission.
 - 2. No application will be considered or complete until all required fees have been paid in full.
- D. Refund of Fees. Except as provided in County Code § 1-501, sixty-five percent (65%) of an application fee may be refunded upon written request if an

application is withdrawn both (i) within 10 days of submittal and (ii) prior to the sending of notices or legal advertisement regarding the application.

Sec. 1-501 – Building Fees

A- Rules Applicable to Building Fees. Any refunds of fees imposed under subsection (B) will be made as provided in 13VAC5-63-70.

B- Building Fee Amounts

Each of the following applications, permits, or activities is subject to the following fee(s):

<u>Building - Alteration/Repairs of Structures in All Use Groups</u>	<u>\$0.20 per sq. ft. Minimum fee \$90</u>
<u>Building - Commercial Plan Review</u>	<u>\$0.04 up to 5,000 sq. ft plus \$0.03 per sq. ft. over 5,000. Minimum fee \$15</u>
<u>Building - Commercial Swimming Pool</u>	<u>\$360</u>
<u>Building - Commercial Temporary Certificate of Occupancy (Each 30 Days)</u>	<u>\$150</u>
<u>Building - Elevators, Escalators and Lifts</u>	<u>\$285</u>
<u>Building - Mobile/Prefabricated Homes</u>	<u>\$55</u>
<u>Building - New Commercial (including additions)</u>	<u>\$0.24 up to 5,000 sq. ft plus \$0.17 per sq. ft. over 5,000. Minimum fee \$90</u>
<u>Building - New Single-Family Residential (less than 1,500 sq. ft.)</u>	<u>\$500</u>
<u>Building - New Single-Family Residential (1,501 - 2,500 sq. ft.)</u>	<u>\$1,000</u>
<u>Building - New Single-Family Residential (2,501 - 3,500 sq. ft.)</u>	<u>\$1,500</u>
<u>Building - New Single-Family Residential (3,501 - 4,500 sq. ft.)</u>	<u>\$2,000</u>
<u>Building - New Single-Family Residential (4,501 - 7,500 sq. ft.)</u>	<u>\$3,000</u>
<u>Building - New Single-Family Residential (greater than 7,500 sq. ft.)</u>	<u>\$4,000</u>
<u>Building - Paint Spraying Booths</u>	<u>\$30</u>
<u>Building - Residential Accessory Structure (attached garages, detached garages, sheds, decks, and porches 10 sq. ft. or larger)</u>	<u>\$0.18 per square foot, calculated on gross finished square footage. The minimum fee is \$35</u>
<u>Building - Residential Plan Review</u>	<u>\$0.05 per sq. ft. Minimum fee \$10</u>
<u>Building - Tents and Residential Swimming Pools, Hot Tubs, or Spas</u>	<u>\$60</u>

<u>Building - Demolition Permit</u>	<u>\$110</u>
<u>Electric - Alarm Systems</u>	<u>\$0.04 per sq. ft. Minimum fee \$90</u>
<u>Electric - Commercial Plan Review</u>	<u>\$0.01 per sq. ft. Minimum fee \$15</u>
<u>Electric - Early Service</u>	<u>\$70</u>
<u>Electric - Mobile/Prefabricated Homes, Fuel Dispensing Pumps, Residential Accessory Structures, Service Change, Swimming Pool, Hot Tub, or Spa</u>	<u>\$35</u>
<u>Electric - Residential Plan Review</u>	<u>\$0.05 per sq. ft. Minimum fee \$10</u>
<u>Electric - Signs</u>	<u>\$55</u>
<u>Electric - Mobile/Prefabricated Homes, Fuel Dispensing Pumps, Residential Accessory Structures, Service Change, Swimming Pool, Hot Tub, or Spa (bonding and wiring separate fees)</u>	<u>\$35</u>
<u>Electric - Temporary Service</u>	<u>\$110</u>
<u>Electric- Additions/Alterations/Repairs</u>	<u>\$0.04 per sq. ft. Minimum fee \$90</u>
<u>Mechanical - Above Ground Tanks</u>	<u>\$120</u>
<u>Mechanical - Additions/Alterations/Repairs</u>	<u>\$0.04 per sq. ft. Minimum fee \$90</u>
<u>Mechanical - Commercial Plan Review</u>	<u>\$0.01 per sq. ft. Minimum fee \$15</u>
<u>Mechanical - Furnace/Woodstove/Gas Log System</u>	<u>\$75</u>
<u>Mechanical - Gas/Oil Lines</u>	<u>\$40</u>
<u>Mechanical - Range Hoods</u>	<u>\$30</u>
<u>Mechanical - Hood Suppression Systems, Mobile/Prefabricated Homes</u>	<u>\$35</u>
<u>Mechanical - New Commercial (including additions to existing)</u>	<u>\$0.04 per sq. ft. Minimum fee \$90</u>
<u>Mechanical - Residential Plan Review</u>	<u>\$0.05 per sq. ft. Minimum fee \$10</u>
<u>Mechanical - Underground Tanks</u>	<u>\$200</u>
<u>Other - Addition or Change in Contractor After Permit Is Issued</u>	<u>\$35</u>
<u>Other - Administrative Fee for Working Without A Permit</u>	<u>\$250</u>
<u>Other - Change of Building Occupancy Classification</u>	<u>\$175</u>
<u>Other - Code Modification Request (No Refund Allowed)</u>	<u>\$250</u>
<u>Other - Elevator Certificate</u>	<u>\$100 per elevator</u>
<u>Other - Group Home/Daycare/Adult Care Form, With No Inspection</u>	<u>\$75</u>
<u>Other - Permit Extension Request</u>	<u>\$75</u>

<u>Other - Permits, and Plan Amendments</u>	<u>\$35</u>
<u>Plumbing - Additions/Alteration/Repairs</u>	<u>\$10 per fixture Minimum fee \$90</u>
<u>Plumbing - Commercial Plan Review</u>	<u>\$1.80 per fixture; \$15 minimum</u>
<u>Plumbing - Mobile/Prefabricated Homes</u>	<u>\$35</u>
<u>Plumbing - Commercial (including additions)</u>	<u>\$10 per fixture Minimum fee \$90</u>
<u>Plumbing - Residential Accessory Structures</u>	<u>\$35</u>
<u>Plumbing - Residential Plan Review</u>	<u>\$0.05 per sq. ft. Minimum fee \$10</u>
<u>Plumbing - Sewer Laterals (unless the lines are included as part of a permit)</u>	<u>\$30</u>
<u>Plumbing - Water Lines (unless the lines are included as part of a permit)</u>	<u>\$30</u>
<u>Plumbing- Fire Suppression Systems (Sprinkler)</u>	<u>\$0.95 each head. Minimum fee \$90. Plus, plan review fee \$0.02 per sq. ft. Minimum fee \$75</u>
<u>Inspections - Building (Regular Re-inspections) for each inspection performed after the second inspection of such work.</u>	<u>\$100</u>
<u>Inspections - Building Special Inspections (Unique structures such as bridges and towers, determined by Building Official)</u>	<u>\$100 per hour</u>
<u>Zoning - Inspection (each, preliminary or final)</u>	<u>\$25</u>

Sec. 1-502 – Subdivision Fees

Each of the following applications, permits, or activities is subject to the following fee(s):

<u>Bond Agreement with Surety - Establish, Amend, Replace, Reduce, or Release a Bond</u>	<u>\$285</u>
<u>Easement plat required with site plan or plat amendment</u>	<u>\$235</u>
<u>Easements - Plat(s) With A Deed</u>	<u>\$900</u>
<u>Easements - Plat(s) Without A Deed</u>	<u>\$580</u>
<u>Required Notice – Per notice</u>	<u>\$235 base fee (at time of application) plus the actual cost of first-class postage and advertisement, once determined.</u>
<u>Streets - Authorization for One Or More Private Streets Within a Subdivision</u>	<u>\$790</u>
<u>Private Road Plans</u>	<u>\$475</u>
<u>Public Road Plans</u>	<u>\$295</u>

<u>Streets - Waiver or Variation to Requirements</u>	<u>\$640</u>
<u>Subdivision - 1 or more Special Lots, Boundary Line Adjustment</u>	<u>\$235</u>
<u>Subdivision - Additional Fee for Dam Break Inundation Zones</u>	<u>1% of total amount of payment required or \$1,000, whichever is less</u>
<u>Subdivision - Extension of Plat Approval</u>	<u>\$140</u>
<u>Subdivision - 2 Lots and Family Subdivision</u>	<u>\$815</u>
<u>Preliminary or Final Subdivision (each) - 3 or more lots</u>	<u>\$1,300</u>
<u>Subdivision - Vacation of a Plat or Part Thereof</u>	<u>\$285</u>
<u>Subdivision - Variation or Exception</u>	<u>\$980</u>

Sec. 1-503 – Water Protection Fees

A – Rules Applicable to Water Protection Fees. The following rules apply to the fees imposed under subsection (B):

1. Virginia Stormwater Management Program (VSMP): Payment of fees.
 - a) Transfer or modification. Each owner required to pay the transfer or modification fee as provided in this Article, must pay the fee upon submittal of the application to transfer or modify.
 - b) Annual maintenance fee. Each owner must pay the maintenance fee annually to the County until a notice of termination is effective. The maintenance fee will be billed in arrears and is due by April 1 of each year. On the first April 1 after the land disturbing activity has begun, this fee will be prorated on a monthly basis, and the full fee will be due by April 1 of each year thereafter. The final fee will be prorated on a monthly basis based on the date of permit termination.
2. Use of Water Protection fees. The fees imposed under subsection (B) will be used solely to carry out the County's responsibilities under the Virginia Stormwater Management Act, the Erosion and Sediment Control Law, the applicable regulations in 9VAC25-830 through 9VAC25-890, and any other applicable standards and specifications.
3. Late payments. Any late payment will be subject to interest at the underpayment rate provided in Virginia Code § 58.1-15 and will be calculated on a monthly basis at the applicable periodic rate. A ten percent late payment fee will be charged to any account more than 90 days past due.

4. Remedies. The County may pursue any remedies provided by State law to collect any past due amount. In addition, the County or the program administrator may pursue the remedies provided in County Code §§ 17-900 *et seq.*, including revocation of any approval.

B – Water Protection Fee Amounts

Each of the following applications, permits, or activities is subject to the following fee(s):

<u>Bond Agreement with Surety - Establish, Amend, Replace, Reduce, or Release a Bond</u>	<u>\$285</u>
<u>Virginia Erosion and Sediment Control Program (VESCP) – Disturbed area less than one acre</u>	
<u>Plan review and initial grading permit or each amendment</u>	<u>\$240</u>
<u>Annual Maintenance</u>	<u>\$230</u>
<u>VESCP – Disturbed area one acre up to 5 acres</u>	
<u>Plan review and initial grading permit or each amendment</u>	<u>\$565</u>
<u>Annual Maintenance</u>	<u>\$340</u>
<u>Single Family (SF) – Land disturbing activity pertaining to a sole single family detached dwelling (including within a common plan of development) with less than 5 acres of land disturbance</u>	
<u>Plan review and initial grading permit and first year annual maintenance fees or each amendment</u>	<u>\$235</u>
<u>Annual Maintenance, starting with the second year</u>	<u>\$235</u>
<u>Virginia Stormwater Management Program (VSMP) – Small construction activity or land clearing that is less than 10,000 sf within a common plan of development or is equal to or greater than 10,000 sf and less than 1 acre</u>	
<u>Plan Review and Permit Issuance</u>	<u>\$235</u>
<u>Transfer or Modification</u>	<u>\$120</u>
<u>Annual Maintenance</u>	<u>\$160</u>
<u>VSMP – Small construction activity or land clearing that is equal to or greater than 1 acre and less than 5 acres</u>	
<u>Plan Review and Permit Issuance</u>	<u>\$2,205</u>
<u>Transfer or Modification</u>	<u>\$225</u>
<u>Annual Maintenance</u>	<u>\$1,530</u>
<u>VSMP – Large construction activity or land clearing that is equal to or greater than 5 acres and less than 10 acres</u>	
<u>Plan Review and Permit Issuance</u>	<u>\$2,775</u>
<u>Transfer or Modification</u>	<u>\$285</u>

<u>Annual Maintenance</u>	<u>\$1,925</u>
<u>VSMP – Large construction activity or land clearing that is equal to or greater than 10 acres and less than 50 acres</u>	
<u>Plan Review and Permit Issuance</u>	<u>\$3,675</u>
<u>Transfer or Modification</u>	<u>\$340</u>
<u>Annual Maintenance</u>	<u>\$2,550</u>
<u>VSMP – Large construction activity or land clearing that is equal to or greater than 50 acres and less than 100 acres</u>	
<u>Plan Review and Permit Issuance</u>	<u>\$4,980</u>
<u>Transfer or Modification</u>	<u>\$510</u>
<u>Annual Maintenance</u>	<u>\$3,460</u>
<u>VSMP – Large construction activity or land clearing that is equal to or greater than 100 acres</u>	
<u>Plan Review and Permit Issuance</u>	<u>\$7,835</u>
<u>Transfer or Modification</u>	<u>\$795</u>
<u>Annual Maintenance</u>	<u>\$5,440</u>
<u>Other Services</u>	
<u>Amendment to Approved Plan (VSMP)</u>	<u>\$225 per review</u>
<u>Construction record drawings review</u>	<u>\$340</u>
<u>Exception (VSMP)</u>	<u>\$270 each</u>
<u>Re-inspection pertaining to a single-family dwelling</u>	<u>\$170 for the first and \$270 for each subsequent reinspection</u>
<u>Re-inspection not pertaining to a single-family dwelling</u>	<u>\$285 for the first and \$385 for each subsequent reinspection</u>
<u>Review of mitigation plan pertaining to a land disturbing activity in a stream buffer</u>	<u>\$170</u>
<u>Stream Determination</u>	<u>\$320</u>
<u>Variation (VESCP)</u>	<u>\$170 each</u>

Sec. 1-504 – Zoning Fees

A – Rules Applicable to Zoning Fees. The following rules apply to the fees imposed under subsection (B):

1. Calculation of fees in special circumstances. In the following special circumstances, the fee(s) required by subsection (B) will be calculated as follows:
 - a. Simultaneous review of special use permit for outdoor display and sales and supporting initial site plan. The applicant must pay the fee for the special use permit, but not the fee for the

- initial site plan for outdoor display and sales, when simultaneous review of both the special use permit application and a supporting initial site plan is required.
- b. Multiple special use permits to establish a single use. If multiple special use permits are required to establish a single use, the applicant must pay only the largest single fee for a special use permit for all of the special use permit applications.
2. Pre-existing use fee waiver. If an applicant applies for a special use permit, the applicable fee will be waived provided that the following conditions are met:
- The use applied for does not conform to the zoning prescribed for the district in which the use is situated;
 - A business license was issued by the county for the applied-for use; and
 - The holder of the business license has operated continuously in the same location for at least 15 years and has paid all real estate, business license, and personal property taxes related to the use.

B – Zoning Fee Amounts

Each of the following applications, permits, or activities is subject to the following fee(s):

<u>Architectural Review Board (ARB) - Minor Board review (Building permits, major amendment)</u>	<u>\$700</u>
<u>ARB - Minor Staff Review of County Wide Certificates of Appropriateness (Fencing, Equipment, Lighting)</u>	<u>\$265</u>
<u>ARB - Major Staff Review of County-wide certificate of appropriateness (CWCA) (Additions to ARB-approved buildings, Building permits (per review), Minor amendments, Personal Wireless Service Facilities, structures 750 ft or more from EC not taller than 5 stories or located behind a structure that fronts the EC, Other CWCA)</u>	<u>\$540</u>
<u>ARB - Major Board review (Conceptual plan; advisory review; preliminary, initial or final site plan)</u>	<u>\$1,185</u>
<u>Entrance Corridor - Resubmittal of Any Sign</u>	<u>\$65</u>
<u>Entrance Corridor - Review of any Sign</u>	<u>\$130</u>
<u>Bond Agreement with Surety - Establish, Amend, Replace, Reduce, or Release a Bond</u>	<u>\$285</u>
<u>Board of Zoning Appeals - Variance and Special Use Permit</u>	<u>\$590</u>

<u>Floodplain - Floodplain Impact Plan Review or Letter of Map Amendment (LOMA) (topographic plan with floodplain model)</u>	<u>\$355</u>
<u>Floodplain - Letter of Map Change review (topographic plan only)</u>	<u>\$175</u>
<u>Groundwater Assessment - Tier I</u>	<u>\$60</u>
<u>Groundwater Assessment - Tier II</u>	<u>\$390</u>
<u>Groundwater Assessment - Tier III</u>	<u>\$605</u>
<u>Groundwater Assessment - Tier IV</u>	<u>\$1,300</u>
<u>Zoning Determination</u>	<u>\$220</u>
<u>Required Notice (per notice)</u>	<u>\$235 base fee (at time of application) plus the actual cost of first-class postage and advertisement, once determined</u>
<u>Sign Permits – Architectural Review Board not required (Temporary Signs)</u>	<u>\$30</u>
<u>Sign Permits – Architectural Review Board required</u>	<u>\$140</u>
<u>Site Development Plan - Additional Fee for Dam Break Inundation Zones</u>	<u>1% of total amount of payment required or \$1,000, whichever is less</u>
<u>Site Development Plan - Initial Site Plan, Final Site Plan, Major Amendment and Exception to Drawing Site Plan</u>	<u>\$1,775</u>
<u>Site Development Plan - Letter of Revision</u>	<u>\$120</u>
<u>Site Development Plan - Preapplication Plan and Minor Amendment</u>	<u>\$590</u>
<u>Special Exception</u>	<u>\$980</u>
<u>Tier II Personal Wireless Service Facility</u>	<u>\$2,155</u>
<u>Site Development Plan - Variation or Exception Under County Code § 18-32.3.5</u>	<u>\$980</u>
<u>Special Use Permit Minor – Home occupation, class B and Day care center</u>	<u>\$1,185</u>
<u>Special Use Permit - Farmer's Market</u>	<u>\$130</u>
<u>Special Use Permit – All Other Special Use Permits and SUP Amendment (fee includes application and first resubmittal)</u>	<u>\$2,365</u>
<u>Special Use Permit - Deferral of Scheduled Public Hearing at Applicant's Request</u>	<u>the actual cost of first- class postage and advertisement, as applicable</u>
<u>Special Use Permit - Telecommunications, Solar</u>	<u>\$2,365</u>

<u>Special Use Permit - For each Resubmittal after the First</u>	<u>\$590</u>
<u>Zoning Clearance - Home Occupations</u>	<u>\$30</u>
<u>Zoning Clearance - All other uses</u>	<u>\$60</u>
<u>Zoning Clearance - Homestay</u>	<u>\$120</u>
<u>Zoning Clearance - Temporary fundraising activity</u>	<u>No Charge</u>
<u>Zoning Map Amendment - Amendment Pertaining to Proffers which Do Not Affect Use or Density</u>	<u>\$505 application fee plus \$235 notice base fee (at time of application) plus the additional cost of first-class postage and advertisement, once determined.</u>
<u>Zoning Map Amendment - Deferral of Scheduled Public Hearing at Applicant's Request</u>	<u>the actual cost of first- class postage and advertisement, as applicable.</u>
<u>Zoning Map Amendment – Resubmittal and Reapplication of a withdrawn application</u>	<u>\$1,480</u>
<u>Zoning Map Amendment - (Fee includes initial application and first resubmittal)</u>	<u>\$2,960</u>

Sec. 1-505 – Miscellaneous Fees

Each of the following applications, permits, or activities is subject to the following fee(s):

<u>Appeal – Board of Building Appeals</u>	<u>\$350</u>
<u>Appeal – Board of Supervisors</u>	<u>\$350</u>
<u>Appeal – Board of Zoning Appeals</u>	<u>\$350</u>
<u>Appeal – County Engineer Determination</u>	<u>\$350</u>
<u>ACSJA - Amend Service Authority Jurisdictional Area</u>	<u>\$130</u>
<u>Agricultural and Forest District – Withdrawal from Local or State District</u>	<u>\$250</u>
<u>Short Term Rental Registry</u>	<u>\$30</u>
<u>Technology Surcharge - Additional Fee charged as a percentage of each fee (Does not apply to required notices in County Code Chapters 14 and 18, State Permit Issuance Fee, and Dam Break Inundation Zone)</u>	<u>4%</u>

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of ____ to ____, as recorded below, at a regular meeting held on_____.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Andrews	_____	_____
Mr. Gallaway	_____	_____
Ms. LaPisto-Kirtley	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Price	_____	_____