

ORDINANCE NO. 21-18()

AN ORDINANCE TO AMEND ARTICLE IV, FEES, OF CHAPTER 18, ZONING, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Article IV, Fees, of Chapter 18, Zoning, is hereby reordained and amended as follows:

By Amending:

Sec. 35.1 – Fees.

CHAPTER 18. ZONING

ARTICLE IV. FEES

Sec. 35.1 - Fees.

Each applicant shall pay the following applicable fees, provided that neither the county nor the county school board shall be required to pay any fee if it is the applicant:

a. Zoning map amendments:

1. Less than 50 acres; application and first resubmission: ~~\$2,688.00~~ \$2,958.00
2. Less than 50 acres; each additional resubmission: ~~\$1,344.00~~ \$1,479.00
3. Fifty acres or greater; application and first resubmission: ~~\$3,763.00~~ \$4,141.00
4. Fifty acres or greater; each additional resubmission: ~~\$1,881.00~~ \$2,070.00
5. Amendments submitted under section 30.7.6: (i) because the slopes are not steep slopes: no fee; (ii) to change any slope's designation from preserved to managed or to remove steep slopes from the steep slopes overlay district: any application fee under subsections (b)(1) through (5).
6. Amendments solely pertaining to proffers that do not affect use or density, when the board of supervisors authorizes alternative application and procedural requirements under section 33.7(f): ~~\$457.00~~ \$503.00 plus calculated notification and legal advertisement costs.
7. Reapplication that is substantially the same as the withdrawn application, when authorized by the Board of Supervisors: ~~\$1,770.00~~ \$1,823.00.

b. Special use permits:

1. Additional lots under section 10.5.2.1, public utilities, child day center, home occupation Class B, to amend existing special use permit, or to extend existing special use permit; application and first resubmission: ~~\$1,075.00~~ \$1,183.00
2. Additional lots under section 10.5.2.1, public utilities, child day center, home occupation class B, to amend existing special use permit, or to extend existing special use permit; each additional resubmission: ~~\$538.00~~ \$592.00
3. Signs reviewed by the board of zoning appeals: See subsection 35.1(e)
4. All other special use permits; application and first resubmission: ~~\$2,150.00~~ \$2,366.00
5. All other special use permits; each additional resubmission: ~~\$1,075.00~~ \$1,183.00
6. Farmers' markets without an existing commercial entrance approved by the Virginia Department of Transportation or without existing and adequate parking: ~~\$527.00~~ \$580.00

7. Farmers' markets with an existing commercial entrance approved by the Virginia Department of Transportation and with existing and adequate parking: ~~\$418.00~~ \$130.00
 8. Reapplication that is substantially the same as the withdrawn application, when authorized by the Board of Supervisors: ~~\$1,770.00~~ \$1,823.00.
- c. Site plans:
1. Initial site plans: ~~\$1,290.00~~ \$1,420.00 plus \$16.00 per dwelling unit and \$0.016 per square foot of nonresidential structure; the fee paid for preapplication plans shall be applied to the fee for initial site plans
 2. Preapplication plans: ~~\$538.00~~ \$592.00
 3. Final site plans: ~~\$1,613.00~~ \$1,775.00
 4. Exception to drawing of site plan under section 32.3.5(a): ~~\$1,613.00~~ \$1,775.00
 5. Site plan amendments under section 32.3.3(b): ~~\$538.00~~ \$592.00 (minor); ~~\$108.00~~ \$118.86 (letter of revision)
 6. Site plan amendments under section 32.3.3(b) (major): ~~\$1,613.00~~ \$1,775.00
 7. Appeals under section 32.4.2.6: ~~\$258.00~~ \$284.00
 8. Reinstatement of review under sections 32.4.2.1(d) and 32.4.3.1(e): ~~\$258.00~~ \$284.00
 9. Reinstatement of review under section 32.4.2.5(e): ~~\$86.00~~ \$95.00
 10. Extension of period of validity: ~~\$511.00~~ \$562.00
 11. Inspections pertaining to secured site plan improvements; per inspection: ~~\$301.00~~ \$331.00
 12. Dam break inundation zones; administrative fee as required by section 32.8.6: One percent of the total amount of payment required by section 32.8.6 or ~~\$1,000.00~~ \$1,101.00, whichever is less. (Payment made to the Dam Safety, Flood Prevention and Protection Assistance Fund held by the Virginia Resources Authority).
- d. Certificates of appropriateness considered by the architectural review board ("ARB"):
1. For a site plan; per review by the ARB: ~~\$1,075.00~~ \$1,183.00
 2. For a building permit; per review by the ARB: ~~\$634.00~~ \$698.00
 3. ~~Amendment to approved certificate of appropriateness: \$242.00~~ Major amendment \$266.00
 4. Review by the ARB – Conceptual plan/advisory review: \$538.00
 5. Review by the ARB – Preliminary/initial review of a site development plan: \$538.00
 6. County-wide certificate of appropriateness – Structures 750 feet or more from the Entrance Corridor, no taller than five stories: \$538.00
 7. County-wide certificate of appropriateness – Structures located behind a structure that fronts the Entrance Corridor: \$538.00
 8. County-wide certificate of appropriateness – Personal wireless service facilities: \$538.00
 9. County-wide certificate of appropriateness – Fencing or equipment or lighting: \$269.00
 10. County-wide certificate of appropriateness – Additions to ARB-approved buildings: \$538.00

11. County-wide certificate of appropriateness – Minor amendments to site or architectural plans: \$538.00
 12. County-wide certificate of appropriateness – Building permits where the change is 50% or less of the altered elevation: \$538.00
 13. Review of any sign to be constructed in the Entrance Corridors: \$130.00
 14. Review of the resubmittal of any sign to be constructed in the Entrance Corridors: \$65.00
- e. Matters considered by the board of zoning appeals:
1. Variances: ~~\$538.00~~ \$592.00
 2. Appeals: ~~\$258.00~~ \$284.00
 3. Special use permits for signs under sections 4.15.5 and 4.15.5A: ~~\$538.00~~ \$592.00
 4. Interpreting a district map: ~~\$258.00~~ \$284.00
- f. Matters considered by the zoning administrator or other officials:
1. Official determinations regarding compliance: ~~\$199.00~~ \$219.00
 2. All other official determinations, including development rights: ~~\$108.00~~ \$119.00
 3. Zoning clearance for a homestay: ~~\$108.00~~ \$119.00
 4. Zoning clearance for a home occupation, class A, a major home occupation, or a minor home occupation: ~~\$27.00~~ \$30.00
 5. Zoning clearance for temporary fundraising activity: No fee
 6. All other zoning clearances: ~~\$54.00~~ \$59.00
 7. Sign permits under section 4.15.4A; no ARB review required: ~~\$27.00~~ \$30.00, except for applications for temporary signs submitted under section 4.15.4A(c)(2)(b) or (c)(2)(c), for which there shall be no fee.
 8. Sign permits under section 4.15.4; ARB review required: ~~\$129.00~~ \$142.00
 9. Letter of Map Change review: ~~\$164.00~~ \$177.00 (topographic plan only): ~~\$323.00~~ \$355.00 (topographic plan with floodplain model)
 10. Floodplain Impact Plan review: ~~\$323.00~~ \$355.00
 11. Variation or exception under section 32.3.5 before approval of a final site plan: ~~\$892.00~~ \$982.00
 12. Variation or exception under section 32.3.5 after approval of a final site plan: ~~\$892.00~~ \$982.00
- g. Groundwater assessments:
1. Tier 1 assessment under section 17-401: ~~\$54.00~~ \$59.00
 2. Tier 3 assessment under section 17-403: ~~\$548.00~~ \$603.00
 3. Tier 4 assessment under section 17-404: ~~\$1,183.00~~ \$1,302.00
- h. Miscellaneous:
1. Change in name of development or change in name of street: ~~\$86.00~~ \$95.00
 2. Special exception: ~~\$457.00~~ \$503.00
 3. Tier II personal wireless service facilities: ~~\$1,957.00~~ \$2,154.00

4. Technology Surcharge – an additional 4% of each fee in County Code § 18-35.1(a) through § 18-35.1(h)(3).

i. Required notice:

1. Initial notice fee to be provided in conjunction with an application, for preparing and mailing notices and published notice: ~~\$435.00~~ ~~\$448.00~~, except for uses under sections 5.1.47 and 5.2A, or applications submitted under section 30.7.6, for which there shall be no fee.
2. Fee for farmers' markets for published notice under section 35.1(b)(6): ~~\$220.00~~ \$227.00.
3. Fee for readvertisement and notification of public hearing after advertisement of a public hearing and a deferral is made at the applicant's request:
 - a. Preparing and mailing or delivering up to 50 notices: ~~\$215.00~~ \$237.00, except for uses under sections 5.1.47 and 5.2A, or applications submitted under section 30.7.6, for which there shall be no fee.
 - b. Preparing and mailing or delivering, per notice more than 50: ~~\$1.08~~ \$1.19 plus the actual cost of first class postage. No fee shall be required for applications submitted under section 30.7.6.
 - c. Published notice: cost based on a cost quote from the publisher, except for farmers' markets under section 35.1(c)(7) and (8), or applications submitted under section 30.7.6, for which there shall be no fee.

(§ 35.1: Amended 5- 5-82; 9-1-85; 7-1-87; 6-7-89; 12-11-91 to be effective 4-1-92; 7- 8-92; [Ord. 10-18\(7\)](#), adopted 8-4-10, effective 1-1-11; [Ord. 11-18\(1\)](#), 1-12-11; [Ord. 11-18\(7\)](#), 6-1-11; [Ord. 12-18\(6\)](#), 10-3-12, effective 1-1-13; [Ord. 12-18\(7\)](#), 12-5-12, effective 4-1-13; [Ord. 13-18\(7\)](#), 12-4-13, effective 1-1-14; [Ord. 14-18\(1\)](#), 3-5-14; [Ord. 14-18\(2\)](#), 3-5-14; [Ord. 15-18\(8\)](#), adopted 10-14-15, effective 11-1-15; [Ord. 16-18\(4\)](#), 4-6-16; [Ord. 18-18\(5\)](#), 11-7-18; Ord 19-18(3), 6-5-19; [Ord. 19-18\(6\)](#), 8-7-19)

State Law reference— Va. Code §§ [15.2-2286](#) (A)(6), [15.2-2241](#) (9), [15.2-2243.1](#).

This ordinance is effective on and after July 1, 2021.

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. Gallaway	_____	_____
Ms. LaPisto-Kirtley	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Ms. Price	_____	_____