

COUNTY OF ALBEMARLE

STAFF REPORT

AGENDA TITLE: ZTA201800005 Section 35 Fees	AGENDA DATE: September 25, 2018
SUBJECT/PROPOSAL/REQUEST: Changes to Section 35 Fees to correspond to changes to ZTA2017-06 Section 33 Zoning Map Amendments (ZMAs) and Special Use Permits (SPs)	ACTION: X INFORMATION:
STAFF CONTACT(S): Greg Kamptner, Bill Fritz	CONSENT AGENDA: ACTION: INFORMATION:
	ATTACHMENTS: Yes

DESCRIPTION: A full description is included as Attachment A.

PUBLIC PURPOSE TO BE SERVED: To modify fees to correspond to changes to Section 33 of the Zoning ordinance which was approved on September 5, 2018.

BACKGROUND: On September 5, 2018, the Board of Supervisors approved changes to Section 33 Zoning Text Amendments, Zoning Map Amendments, Special Use Permits and Special Exceptions. Staff reports for that ZTA referenced needed changes to Section 35 Fees. On August 7, 2018, the Planning Commission adopted a Resolution of Intent to amend this section of the Zoning Ordinance. Attachment A contains that staff report and the approved Resolution.

DISCUSSION: Section 35 contains fees for all Zoning permits and applications. The proposed changes would:

- Remove the fee for a citizen-initiated zoning text amendment (ZTA)
- Change the notice fee from an actual cost to a flat fee (\$435) for the public hearings to be held by the Planning Commission and Board of Supervisors
- Include a fee for readvertisement and notification of additional public hearings
- Provide a fee for reapplication of a zoning or SP request that is substantially the same as a withdrawn application, when authorized by the Board of Supervisors
- Remove a fee for deferral
- Modify the fee reduction for simultaneous review of a ZMA or special use permit and site development plan to apply only to outdoor display and sales
- Add credit or debit transaction to the mode of payment of fees
- Add a specific refund for withdrawn requests within 70 days of the official submittal date

As described in reports for ZTA 2017-06 on July 17, staff recommended a change to collect notification fees up-front with ZMA or SP applications rather than waiting until an applicant requests a public hearing. Staff explained that the primary fee change would be to increase the application fee by \$852, which is the average cost for public hearing notification for SPs and ZMAs. However, pushback from applicants resulted in a recommendation for the minimum cost for advertising and notification for a proposed SP. Although the County would be responsible for the remainder of the advertisement cost,

having this set amount would still allow the County to recover a majority of the cost for many SPs which go to public hearing. It would allow the County to typically recover less of the cost for ZMAs which go to public hearing, but still recover at least half.

Staff notes that a formal review of all zoning and subdivision fees is scheduled for 2019. Staff recommends that all fees be reevaluated at that time.

BUDGET IMPACT: Time savings will occur from these changes and no additional staff or funding is expected from these amendments.

RECOMMENDATION: Staff recommends that the Commission recommend approval of the draft ordinance found in Attachment B.

ATTACHMENTS:

Attachment A: [Legal Description](#)

Attachment B: [August 7, 2018 Staff Report and approved Resolution of Intent](#)

Attachment C: [Proposed Section 33 Amendment](#)