Albemarle County

Legislation Details (With Text)

File #:	21-123	**Version:**	1	**Name:**	
Type:	Resolution			**Status:**	Consent Agenda
File created:	12/3/2020			**In control:**	Board of Supervisors
On agenda:	1/6/2021			**Final action:**	
Title:	Department of Community Development (CDD) Fees Update.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. Att.A - Resolution of Intent, 2. Att.B - Chapter 5 Ordinance, 3. Att.C - Chapter 7 Ordinance, 4. Att.D - Chapter 14 Ordinance, 5. Att.E - Chapter 17 Ordinance, 6. Att.F - Chapter 18 Ordinance				

Date	Ver.	Action By	Action	Result

AGENDA DATE: 1/6/2021

TITLE:
Department of Community Development (CDD) Fees Update

SUBJECT/PROPOSAL/REQUEST: Adopt a Resolution of Intent to amend the Community Development Department (CDD) Fees in the Zoning Ordinance and schedule a public hearing to consider the adoption of ordinances to amend the CDD fees in Albemarle County Code Chapters 5 (Building Regulations), 7 (Health and Safety), 14 (Subdivision of Land), 17 (Water Protection), and 18 (Zoning)

ITEM TYPE: Consent Action Item

STAFF CONTACT(S): Richardson, Kamptner, Walker, Filardo, Herrick, Allshouse, S.

PRESENTER (S): N/A

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: Under the provisions of Chapters 5, 7, 14, 17, and 18 of the County Code, the Department of Community Development (CDD) charges fees for a number of services that the Department provides to the development community and the general public. The purpose of the fees is to help CDD recover the cost of providing these services.

In August of 2008, the Board adopted a policy for updating the levels of existing fees. This policy provides for biennial fee adjustments, based on Board-approved salary adjustments. Under this approach, if Board-approved staff salaries increased cumulatively by a certain percentage over the course of the two years, CDD fees would increase by that same percentage. This policy has not been routinely applied. Most CDD fees were last adjusted on November 1, 2015, although many fees have not been adjusted since July 1, 2014. A few others were adjusted as recently as November 1, 2018.

The lack of increase in fee levels in several years has made it progressively challenging for CDD to cover the cost of providing services, including the provision of mandated services. In addition, staff has recently identified several CDD costs that the current County Code does not address, a situation that further constrains the department's ability to provide services efficiently.

STRATEGIC PLAN: Mission. To enhance the well-being and quality of life of all citizens through the provision of the highest level of public service consistent with the prudent use of public funds.

DISCUSSION: In order to help address the imbalance between the cost of providing services and the fee revenue generated from services, staff proposes two strategies, outlined in the Resolution of Intent (Attachment A), and detailed below.

The first strategy involves increasing *existing* fees consistent with the policy that the Board of Supervisors adopted in August of 2008. As noted above, most CDD fees have not increased since November 1, 2015 (Fiscal Year 2016 (FY 16), while several other fees have not risen since July 1, 2014 (FY 15), and a small number of fees have not increased since November 7, 2018 (FY 19). Staff found that, between FY 15 and FY 21, Board-approved salaries increased cumulatively by 13.36%; the comparable figure for the FY 16 to FY 21 time periods was 10.05%; while the corresponding number during the FY 19 to FY 21 time period came to 3.00%. In Attachments B through E, staff has used these respective percentage changes to make the appropriate proposed adjustments to existing CDD fees. These proposed amounts appear in red font. Staff envisions that these levels would become effective July 1, 2021 (FY 22). Please be aware that proposed changes in fees related to Chapter 18 of the Code (Zoning) will need to go before the Planning Commission for a public hearing.

The second strategy entails the establishment of *new* fees that would capture CDD costs that the current County Code does not include. Staff has identified several services related to architectural review, building inspections, and Water Protection Ordinance-related activities for which CDD currently does not charge a fee. Staff has estimated the amount of time necessary to perform each of these services, the associated costs in terms of salaries and benefits, and the indirect costs that these services generate in terms of administrative work and technological infrastructure. Staff recommendations for new fees, and the proposed dollar or percentage levels of these fees, appear in green font in Attachments B, C, D, and E. Staff envisions that these new fees would become effective July 1, 2021 (FY 22). Please be aware that the proposed new fees in Chapter 18 of the Code (Zoning) will need to go before the Planning Commission for a public hearing.

BUDGET IMPACT: Staff estimates that the adoption of the proposed ordinances, including increases to current fees and the addition of new fees, would generate approximately $343,000 in additional CDD General Fund revenue in Fiscal Year 2022 (FY 22). This estimate assumes that CDD's workload and mix of services provided in FY 22 would be identical to the workload and mix of services provided in FY 21. Components of this $343,000 figure include approximately $215,000 in additional revenue generated by changes in the levels of existing fees, about $88,000 from the proposed Technology Fee, and roughly $40,000 in revenue from the various proposed new fees related to architectural review, WPO-related services, and building-related services.

RECOMMENDATION:
Staff recommends that the Board:
1) Adopt the attached Resolution of Intent (Attachment A) to amend the Community Development Department Fees in the Zoning Ordinance; and
2) Direct staff to schedule a public hearing to consider the adoption of the proposed ordinances (Attachments B through F).

ATTACHMENTS:
Attachment A - Resolution of Intent
Attachment B - Proposed Ordinance amending County Code Chapter 5, Building Regulations

Attachment C - Proposed Ordinance amending County Code Chapter 7, Health and Safety
Attachment D - Proposed Ordinance amending County Code Chapter 14, Subdivision of Land
Attachment E - Proposed Ordinance amending County Code Chapter 17, Water Protection
Attachment F - Proposed Ordinance amending County Code Chapter 18, Zoning