

Resolution No.: 16-1395  
Introduced: May 18, 2010  
Adopted: June 15, 2010

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION  
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT  
WITHIN MONTGOMERY COUNTY, MARYLAND**

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By: District Council

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**SUBJECT:** Comprehensive Revision to Office of Zoning and Administrative Hearings' Fee Schedule

**Background**

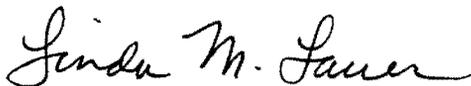
1. Section 59-H-2.32 of the Montgomery County Code provides for the establishment by resolution of the District Council differential local map amendment filing fees following a public hearing on reasonable notice. Section 59-G-1.12 of the Code requires the Council to set the filing fee for special exception applications filed with the Hearing Examiner.
2. The last general revision to the Office of Zoning and Administrative Hearings' filing fee schedule was approved by the Council on June 19, 2007.
3. The Office of Zoning and Administrative submitted for approval comprehensive revisions to the Office's fee schedule.
4. On June 15, 2010, the County Council held a public hearing on the proposed revised special exception filing fee schedule.
5. On June 15, 2010, the County Council reviewed the proposed filing fee schedule.

**Action**

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland approves the following resolution:

The attached fee schedule is established for filing Local Map Amendment and Development Plan Amendment applications, and special exceptions with the Office of Zoning and Administrative Hearings.

This is a correct copy of Council action.



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Linda M. Lauer, Clerk of the Council

**Local Map Amendment/Development Plan Amendment Fee Schedule**

<b>Zone Classification</b>	<b>Basic Fee for Designated Acreage or Less</b>	<b>Revised Fee</b>	<b>Additional Fee Per Acre Above Designated Acreage</b>	<b>Revised Fee</b>
<b><u>Residential, One-Family Zones</u></b>				
Rural Density Transfer (25 acres)	\$650	\$725	\$150	\$175
Rural (5 acres)	650	725	150	175
Rural Cluster (5 acres)	725	800	200	225
Rural Neighborhood Cluster (5 acres)	925	1,000	200	225
Rural Service (2 acres)	1,450	1,600	350	400
Low Density Rural Cluster Dev. Zone (5 acres)	800	900	200	225
Low-density Resid. & TDR (1 acre)				
- RE-2, RE-2C and RE-1	2,300	2,500	400	450
- R-200, RMH-200 and R-150	3,550	3,900	400	450
Medium-density Resid. & TDR (1 acre)				
- R-90, R-60 and R-40	4,600	5,000	400	450
Fourplex (1 acre)	5,500	6,000	400	450
R-T (1 acre)	5,500	6,000	400	450
<b><u>Residential, Multi-Family and Mobile Home Zones</u></b>				
R-30, R-20, R-10 and R-H (1 acre)	5,500	6,000	450	500
R-MH-Mobile Home Dev. (15 acres)	9,200	10,000	425	475
<b><u>Planned Development Zone</u></b>				
P-D (2 acres)	10,000	11,000	600	650
MXPD (20 acres)	16,500	18,150	600	650
MXN (20 acres)	16,500	18,150	600	650
Planned Neighborhood (50 acres)	24,000	26,500	600	650
P-R-C (25 acres)	20,000	22,000	600	650
Town Sector (50 acres)	24,000	26,500	600	650
Planned Cultural Center (5 acres)	8,000	8,800	600	650
<b><u>RMX-Zones</u></b>				
RMX-1 and RMX-1/TDR (1 acre)	6,000	6,600	525	575
RMX-2, RMX-2/TDR & RMX-2C (1 acre)	7,500	8,200	600	650
RMX-3, RMX-3/TDR & RMX-3C (1 acre)	8,600	9,500	700	775
<b><u>Commercial Zones</u></b>				
C-1, C-2, C-O, C-T, O-M, C-3, C-5, C-4 (1 ac)	6,600	7,200	600	650
C-T, O-M, C-3 and C-5 (1 acre)	6,600	7,200	600	650
C-6 (40 acres)	9,000	10,000	600	650
Country Inn (2 acres)	6,000	6,600	600	650
Hotel-Motel (2 acres)	8,000	8,800	600	650
C-P (5 acres)	\$ 8,500	\$ 9,350	\$ 600	\$ 650

<b>Zone Classification</b>	<b>Basic Fee for Designated Acreage or Less</b>	<b>Revised Fee</b>	<b>Additional Fee Per Acre Above Designated Acreage</b>	<b>Revised Fee</b>
<b><u>Industrial Zones</u></b>				
I-1 and I-2 (1 acre)	\$ 6,600	\$ 7,200	\$ 600	\$ 650
I-3 (2 acres)	8,000	8,800	700	775
I-4 (2 acres)	8,000	8,800	700	775
Mineral Resource Recovery Zone (10 acres)	16,500	16,500	700	775
Research & Development Zone (2 acres)	14,500	14,500	700	775
Life Sciences Center	16,500	18,150	800	875
<b><u>Central Business District Zone</u></b>				
CBD-1, CBD-R1, CBD-R2 and CBD-0.5 (1 acre)	6,600	7,200	600	650
CBD-2 and CBD-3 (1 acre)	8,000	8,800	700	775
<b><u>Transit Station Zones</u></b>				
TS-M and TS-R (1 acre)	8,500	9,350	\$ 675	\$ 750
<b><u>Optional Method of Application (Schematic Development Plan)</u></b>				
Supplemental initial filing fee	3,250	3,600		
<b><u>Amendment to Approved SDP</u></b>				
Fee for each initial amendment request following Council approval of prior plan	3,400	3,800		
<b><u>Amendment to Approved Dev. Plan</u></b>				
Fee for each initial amendment request following Council approval of prior plan	3,400	3,800		
Supplemental fee if public hearing is conducted	3,500	3,850		
<b><u>Subsequent Amendments to Pending SDP and DP Amendments</u></b>				
For each revision to a SDP or DP amendment while the amendment is still pending County Council approval, except revisions filed explicitly at the request of Technical Staff, Planning Board or Hearing Examiner				
Filing fee	1,750	1,925		
<b><u>Sign(s) to post on property</u></b>				
Currently, \$100 is refunded if sign is returned in usable condition. With fee increase, \$250 will be refunded if sign is returned in usable condition.	\$150	\$300		

**No filing fee shall exceed \$100,000 for any one application.**

**Office of Zoning and Administrative Hearings Special Exception Filing Fee Schedule**

<b>Special Exception Use</b>	<b>Current Fee</b>	<b>Revised Fee</b>
Boarding house (R-30, R-20, & R-10 zones)	\$650	\$725
Home occupations (R-30, R-20 & R-10 zones)	350	550
Riding Stables, non-commercial (RE-2 zone)	425	475
Temporary Structures (all residential zones)	425	475
Farm Tenant mobile homes	825	900
Group Day Care Home, 9-12 children	400	450
Child Day Care Center, 13-30 children	1,000	1,100
<b>Renewal of Temporary Special Exceptions</b> (major home occupations)	60	60
<b>Modification of existing Special Exception without Public Hearing</b>	None	<i>10% of prevailing SE fee with minimum of \$50</i>
<b>Modification of existing Special Exception with Public Hearing</b>		
No new construction proposed	None	<i>25% of prevailing SE fee</i>
New construction proposed	None	<i>50% of prevailing SE fee</i>
<b>Sign to be posted on property</b> Currently, \$100 is refunded if sign is returned in usable condition. With fee increase, \$250 will be refunded if sign is returned in usable condition.	\$150	\$300