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

By: District Council

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.

_____
Linda M. Lauer, Clerk of the Council

Local Map Amendment/Development Plan Amendment Fee Schedule

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

Zone Classification	Basic Fee for Designated Acreage or Less	Revised Fee	Additional Fee Per Acre Above Designated Acreage	Revised Fee
Industrial Zones				
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*
Central Business District Zone				
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*
Transit Station Zones				
TS-M and TS-R (1 acre)	8,500	*9,350*	$ 675	*$ 750*
Optional Method of Application (Schematic Development Plan)				
Supplemental initial filing fee	3,250	*3,600*		
Amendment to Approved SDP				
Fee for each initial amendment request following Council approval of prior plan	3,400	*3,800*		
Amendment to Approved Dev. Plan				
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*		
Subsequent Amendments to Pending SDP and DP Amendments				
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*		
Sign(s) to post on property 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

Special Exception Use	Current Fee	Revised Fee
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*
Renewal of Temporary Special Exceptions (major home occupations)	60	*60*
Modification of existing Special Exception without Public Hearing	None	*10% of prevailing SE fee with minimum of $50*
Modification of existing Special Exception with Public Hearing No new construction proposed	None	*25% of prevailing SE fee*
New construction proposed	None	*50% of prevailing SE fee*
Sign to be posted on property 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*