

Resolution No.: 16-210
Introduced: May 17, 2007
Adopted: June 19, 2007

**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

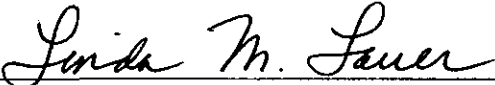
1. Section 59-H-2.32 of the Montgomery County Code provides for the establishment by resolution of the District Council differential local map amendment filing fees following a public hearing on reasonable notice. Section 59-G-1.12 of the Code requires the Council to set the filing fee for special exception 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 September 14, 2004.
3. At a worksession on April 24, 2007, the Planning, Housing, and Economic Development Committee requested the Office of Zoning and Administrative Hearings submit a revised fee schedule for Council action.
4. On May 3, 2007, the Office of Zoning and Administrative submitted for approval comprehensive revisions to the Office's fee schedule.
5. On June 19, 2007, the County Council held a public hearing on the proposed revised special exception filing fee schedule.
6. On June 19, 2007, 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 Fee Schedule

SUGGESTED REVISIONS(Deletions shown in strikethrough, Text revisions shown in *italics*)

Zone Classification	Basic Fee for designated Acreage or less	Suggested REVISED FEE	Additional Fee Above Designated Acreage (on a per acre basis)	Suggested REVISED FEE
Residential, One-Family Zones				
Rural Density Transfer (25 acres)	\$625	<i>\$650</i>	\$125	<i>\$150</i>
Rural (5 acres)	625	<i>650</i>	125	<i>150</i>
Rural Cluster (5 acres)	687	<i>725</i>	185	<i>200</i>
Rural Neighborhood Cluster (5 acres)	875	<i>925</i>	185	<i>200</i>
Rural Service (2 acres)	1,375	<i>1,450</i>	310	<i>350</i>
Low Density Rural Cluster Dev. Zone (Floating) (5 acres)	750	<i>800</i>	185	<i>200</i>
Low-density Resid. & TDR (1 acre)				
- RE-2, RE-2C and RE-1	2,250	<i>2,300</i>	375	<i>400</i>
- R-200, RMH-200 and R-150	3,500	<i>3,550</i>	375	<i>400</i>
Medium-density Resid. & TDR (1 acre)				
- R-90, R-60 and R-40	4,375	<i>4,600</i>	375	<i>400</i>
Fourplex (1 acre)	5,000	<i>5,500</i>	375	<i>400</i>
R-T (1 acre)	5,000	<i>5,500</i>	375	<i>400</i>
Residential, Multi-Family & TDR				
R-30, R-20, and R-10 (1 acre)	5,000	<i>5,500</i>	435	<i>450</i>
R-H (1 acre)	5,000	<i>5,500</i>	435	<i>450</i>
Mobile Home Zone				
R-MH-Mobile Home Dev. (15 acres)	8,750	<i>9,200</i>	375	<i>425</i>
Planned Development Zone				
P-D (2 acres)	8,750	<i>10,000</i>	565	<i>600</i>
MXPD (20 acres)	15,000	<i>16,500</i>	565	<i>600</i>
MXN (20 acres)	15,000	<i>16,500</i>	565	<i>600</i>
Planned Neighborhood (50 acres)	22,500	<i>24,000</i>	565	<i>600</i>
P-R-C (25 acres)	18,750	<i>20,000</i>	565	<i>600</i>
Town Sector (50 acres)	22,500	<i>24,000</i>	565	<i>600</i>
Planned Cultural Center (5 acres)	7,500	<i>8,000</i>	565	<i>600</i>
RMX-Zones				
RMX-1 and RMX-1/TDR (1 acre)	5,625	<i>6,000</i>	500	<i>525</i>
RMX-2, RMX-2/TDR & RMX-2C (1 acre)	6,875	<i>7,500</i>	565	<i>600</i>
RMX-3, RMX-3/TDR & RMX-3C (1 ac)	8,125	<i>8,600</i>	690	<i>700</i>
Commercial Zones				
C-1, C-2, C-O and C-4 (1 acre)	6,250	<i>6,600</i>	565	<i>600</i>
C-T, O-M, C-3 and C-5 (1 acre)	6,250	<i>6,600</i>	565	<i>600</i>
C-6 (40 acres)	7,500	<i>9,000</i>	565	<i>600</i>
Country Inn (2 acres)	5,625	<i>6,000</i>	565	<i>600</i>

Local Map Amendment Fee Schedule

SUGGESTED REVISIONS

(Deletions shown in strikethrough, Text revisions shown in *italics*)

Zone Classification	Basic Fee for designated Acreage or less	Suggested REVISED FEE	Additional Fee Above Designated Acreage (on a per acre basis)	Suggested REVISED FEE
Hotel-Motel (2 acres)	\$7,500	\$8,000	\$565	\$600
C-P (5 acres)	7,500	8,500	565	600
Industrial Zones				
I-1 and I-2 (1 acre)	6,250	6,600	565	600
I-3 (2 acres)	7,500	8,000	690	700
I-4 (2 acres)	7,500	8,000	690	700
Mineral Resource Recovery Zone (10 acres)	15,000	16,500	690	700
Research & Development Zone (2 acres)	13,750	14,500	690	700
Life Sciences Center	15,000	16,500	750	800
Central Business District Zone				
CBD-1, CBD-R1, CBD-R2 and CBD-0.5 (1 acre)	6,250	6,600	565	600
CBD-2 and CBD-3 (1 acre)	7,750	8,000	690	700
Transit Station Zones				
TS-M and TS-R (1 acre)	7,750	8,500	625	675
Optional Method of Application (SDP)				
Initial filing fee	3,125	3,250		
Amendment to Approved SDP				
Fee for each initial amendment request following Council approval of prior plan	3,125	3,400		
Amendment to Approved Dev. Plan				
Fee for each initial amendment request following Council approval of prior plan	3,125	3,400		
Supplemental Fee if public hearing is conducted	2,500	3,500		
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 Tech Staff, Plan. Brd or H.E.	1,500	1,750		
No filing fee shall exceed \$100,000 for any one application				

Office of Zoning and Administrative Hearings

Filing Fee Schedule for Special Exceptions

SUGGESTED REVISIONS

(Deletions shown in strikethrough, Text revisions shown in italics)

Special Exception Uses	Filing Fee	Suggested Revisions
Boarding House (R-30, R-20, & R-10 Zones)	\$550.00	\$650.00
Home Occupations (R-30, R-20 & R-10 Zones)	\$250.00	\$350.00
Riding Stables, non-commercial (RE-2 Zone)	\$400.00	\$425.00
Temporary Structures (all residential zones)	\$400.00	\$425.00
Farm Tenant mobile homes	\$750.00	\$825.00
Child Day Care facilities up to 30 children GROUP DAY CARE (not in townhouse or attached unit) 9-12 children (R-90, R-60, R-40, R-4 Plex, RMH-200 R-T, R-30, R-20, R-10, R-H, CBD*, TS-R*, TS-M* and RMX/TDR zones) CHILD DAY CARE CENTER 13-30 children (Rural, R-C, RDT, RE-2, RE-2C, RE-1, R-200, R-150, R-90, R-60, R-40, R-30, R-20, R-10, R-4 Plex, R-T, R-H, CBD*, TS-R*, TS-M*, RMH-200 and RMX/TDR zones) * In Residential Buildings	\$350.00	\$400.00
	\$900.00	\$1,000.00
Renewal of temporary special exceptions	\$50.00	\$60.00

**There is a \$150.00 charge for a sign to be posted on the subject property.
 Please make one check for the filing fee and sign fee payable to Montgomery County.**