

**PROPOSED AMENDMENTS
TO
APPENDIX Q (LAND DEVELOPMENT SERVICES FEE SCHEDULE)
OF THE CODE OF THE COUNTY OF FAIRFAX VIRGINIA**

Amend introductory paragraph by modifying it to read as follows:

Appendix Q - Land Development Services Fee Schedule

This fee schedule establishes the fees charged, by Land Development Services, Department of Public Works and Environmental Services and the Fire Marshal, for building and site development activities pursuant to the authority granted by §§ 15.2-2241(9), 15.2-2286(A)(6), 10.1-562(I), 36-105(A), 10.1-603.4, and 10.1-603.4:1 of the *Code of Virginia* and Chapters 2 (Property Under County Control), 61 (Building Provisions), 64 (Mechanical Provisions), 65 (Plumbing and Gas Provisions), 66 (Electrical Provisions), 101 (Subdivision Ordinance), 104 (Erosion and Sediment Control Ordinance), 112 (Zoning Ordinance), and 124 (Stormwater Management Ordinance) of the *Code of the County of Fairfax, Virginia* (the Code).

Amend Section II Site Development Fees by modifying the introductory paragraph to read as follows:

II. SITE DEVELOPMENT FEES

The following site development fees to cover the cost of reviewing site and subdivision plans and related documents; processing site and subdivision plan agreements; making inspections of required site improvements; permitting any work or construction on any land dedicated or proposed for dedication to public use; and other fees incidental to the administration of these activities pursuant to Chapters 2, 101, 104, ~~and 112~~, and 124 of the Code and any fees paid to the County upon submission of any request for a waiver, exception, and modification of the County Ordinances, are hereby adopted:

Amend Section II Site Development Fees, by modifying Part A (Plan and Document Review Fees) to read as follows:

A: PLAN AND DOCUMENT REVIEW FEES	
The following fees are due upon submission to the County of the following plans and documents. The Fire Prevention Division review fees are listed in Part D.	
<i>(A) Plats:</i>	
1. Easement plat, per submission	\$360.00
2. Preliminary subdivision plat:	
• Initial Submission	
○ Less than 10 lots	\$3,494.00
▪ Plus, fee per lot or division of land including outlots and parcels	\$66.00
○ 10 lots or more	\$5,688.00

<ul style="list-style-type: none"> ▪ Plus, fee per lot or division of land including outlots and parcels 	\$66.00
<ul style="list-style-type: none"> • Redate (reapproval): fee for reapproval of a previously approved preliminary plat submitted to the County for approval during the validity period of the preliminary plat, each. 	\$709.00
<ul style="list-style-type: none"> • Resubmissions, per submission 	25% of the original fee
<ul style="list-style-type: none"> • Revisions, per submission 	25% of the original fee
3. Record (final) subdivision plat:	
<ul style="list-style-type: none"> • Initial Submission 	\$606.00
<ul style="list-style-type: none"> <ul style="list-style-type: none"> ○ Plus, fee per lot or division of land including outlots and parcels 	\$30.00
<ul style="list-style-type: none"> • Resubmission Fee, per submission 	\$308.00
<ul style="list-style-type: none"> • Redate (reapproval): fee for reapproval of a previously approved final plat that has expired, per submission 	\$529.00
<i>(B) Subdivision Plans, Site Plans, and Site Plans for Public Improvements Only:</i>	
The following schedule shall be used to tabulate the fees for review of subdivision and site plans, and site plans for public improvements only.	
1. Base Fee:	
<ul style="list-style-type: none"> • Subdivision Plan <ul style="list-style-type: none"> ○ 1st submission ○ Plus, fee per disturbed acre or any fraction thereof 	\$4,830.00 \$884.00
<ul style="list-style-type: none"> • Site Plan <ul style="list-style-type: none"> ○ 1st submission ○ Plus, fee per disturbed area or any fraction thereof 	\$7,296.00 \$884.00
<ul style="list-style-type: none"> • Site plans for public improvements only including sanitary sewer, trail, sidewalk, storm sewer, channel improvements, waterline, and/or road construction pursuant to Chapter 2 of the Code. <ul style="list-style-type: none"> ○ 1st submission ○ Plus, per linear foot or fraction thereof, of each improvement 	\$3,519.00 \$1.21
2. Fees in addition to base fees:	
<ul style="list-style-type: none"> • Additional plan review, as a result of an approved zoning action associated with the proposed construction to include the following, with a maximum cumulative fee of \$3,370.00 <ul style="list-style-type: none"> ○ Sites subject to rezoning ○ Sites subject to special exception ○ Sites subject to special permit ○ Sites subject to variance 	\$2,035.00 \$1,428.00 \$1,428.00 \$1,058.00
<ul style="list-style-type: none"> • Review resulting from site conditions and proposed improvements <ul style="list-style-type: none"> ○ <u>SWM/BMP facility, for each facility serving the site (on or off-site), except as noted, with a maximum cumulative fee of \$7,500.00</u> <ul style="list-style-type: none"> ▪ <u>Constructed Wetland or Ponds</u> ▪ <u>Bioretention Basin or Filter, Infiltration Facility, Filtering Practice¹, Innovative BMP², or Detention-Only Facility³</u> ▪ <u>Dry Swale, Wet Swale, or Grass Channel (per linear foot)</u> ▪ <u>Rainwater Harvesting System, per square foot of collection area</u> 	\$2,343.00 \$3,200.00 \$1,900.00 \$5.00 \$1,500.00 <u>minimum</u> \$0.12 \$1,900.00

<ul style="list-style-type: none"> ▪ <u>Permeable Pavement, Vegetated Roof, per square foot of surface area</u> ▪ <u>Manufactured BMP⁴, Micro- or Urban Bioretention⁵</u> ▪ <u>Rooftop Disconnection, for each building served</u> ▪ <u>Sheet Flow to Vegetated Filter Strip or Conserved Open Space, Soil Amendments, Reforestation, flat fee per plan</u> ○ Floodplain area (existing and proposed) ○ Natural drainageway (non-floodplain watersheds) ○ Problem soils (area with soil types A or B, per the official map adopted by the Board or as deemed by the Director) ○ Stormwater management facility, for each facility serving the site (on or off-site) 	<p>minimum \$0.12 \$1,500.00</p> <p>minimum \$1,200.00 \$500.00</p> <p>\$500.00 \$714.00 \$714.00</p> <p>\$1,058.00</p> <p>\$879.00</p>
<p><u>Footnotes:</u></p> <ol style="list-style-type: none"> 1. <u>Filtering practices include facilities such as sand filters.</u> 2. <u>BMPs not on the Virginia Stormwater BMP Clearinghouse approved list or listed with a Pilot Use Designation or Conditional Use Designation.</u> 3. <u>Vaults or other underground storage systems providing detention only. No ponds.</u> 4. <u>Includes proprietary devices.</u> 5. <u>Includes residential rain gardens, urban stormwater planters, expanded tree pits, and stormwater curb extensions.</u> 	
<p>3. Resubmissions:</p> <ul style="list-style-type: none"> • 2nd submission base fee: fee tabulated at 50% of the first submission fee assessed in accordance with (B1) and (B2) above. <ul style="list-style-type: none"> ○ Plus, additional fees charged in accordance (B1) and (B2) above for changes in the amount of disturbed area, zoning action, site conditions, and/or proposed improvements from that indicated on the first submission. <p>The maximum combined first and second submission base fees:</p> <ul style="list-style-type: none"> ○ For subdivision plans ○ For site plans <ul style="list-style-type: none"> • Resubmission site and subdivision plan after 2nd submission, per submission (does not apply to site plans with public improvements only) • 2nd submission fee for site plans with public improvements only, per submission • Resubmissions after 2nd submission for site plans with public improvements only, per submission: fee tabulated at 50% of the first submission fee in accordance with (B1) and (B2) above. 	<p>50% of the original fee</p> <p>Tabulated fee</p> <p>\$13,256.00 \$47,310.00</p> <p>\$4,670.00</p> <p>\$0.00</p> <p>50% of the original fee</p>
<p>4. Revisions:</p> <ul style="list-style-type: none"> • Fee, per submission <ul style="list-style-type: none"> ○ Plus, additional fees charged in accordance with (B1) and (B2) above for changes in the disturbed area, zoning action, site conditions, and/or proposed improvements from that indicated on the original plan. 	<p>\$1,058.00</p> <p>Tabulated Fee</p>
<p>5. Plan extensions (redate), per request</p>	<p>\$1,428.00</p>

1 **Amend Section II Site Development Fees, by modifying Part F (Waiver, Exception,**
 2 **Modification and Exemption Fees) to read as follows:**
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F. WAIVER, EXCEPTION, MODIFICATION AND EXEMPTION FEES			
Fees in accordance with the table below shall be paid to the County upon submission of any request for a waiver, exception, and modification of the County Ordinances, including but not limited to the Chesapeake Bay Preservation Ordinance (Chapter 118), the Subdivision Ordinance (Chapter 101), the Zoning Ordinance (Chapter 112), Stormwater Management Ordinance (Chapter 124), and the Public Facilities Manual (PFM). The fee assessed shall be based on the Ordinance requirement and the type of plan submitted pursuant to Chapter 101, 112 or 104 of the Code.			
<i>Resource Protection Area (RPA) Applications</i>			
County Ordinance	Fee		
	Pursuant to Chapter 101	Pursuant to Chapter 112	Pursuant to Chapter 104
<i>1. Chapter 118-5-1(a): Exemption</i>	No fee	No fee	No fee
<i>2. Chapter 118-5-1(b): Exemption</i> Reconstruction of structures destroyed/damaged by casualty, if such reconstruction is otherwise permitted by law and as long as the structure is reconstructed in the same location and creates no more impervious area than existed with the prior structure.			
<i>3. Chapter 118-5-2: Exemption for public utilities</i>			
<i>4. Chapter 118-5-3(a): Exemption</i> Water wells, site amenities for passive recreation, historic preservation, and archeological activities located within an RPA.			
<i>5. Chapter 118-5-3(b): Exemption for less than 2500 sf. disturbance in RMA.</i>			
<i>6. Chapter 118-5-3(c): Exemption</i>			
<i>7. Chapter 118-5-4(a): Waiver</i> Loss of buildable area in RPA for lots recorded prior to 10/01/89 with no encroachment into the seaward 50 feet of the RPA buffer area.	\$730.00	\$170.00	
<i>8. Chapter 118-5-4(b): Waiver</i> Loss of buildable area in RPA for lots recorded between 10/01/89 and 11/18/03 for houses located within the RPA, with no encroachment into the seaward 50 feet of the RPA buffer area.			
<i>9. Chapter 118-5-5(a): Exception</i> Waiver of the performance criteria for minor additions to principal structures established as of 7/01/93. No accessory structures or uses.			
<i>10. Chapter 118-5-5(b): Exception</i> Waive of the performance criteria for minor additions to principal structures established between 7/01/93 and 11/18/03 and located within the RPA. No accessory structures or uses.			

11. <i>Chapter 118-6-7: Exception</i> Loss of buildable area in RPA for lots recorded prior to 1/18/03 that does not meet the requirements of 118-5-4. A Public Hearing is required. (see note 4)			
12. <i>Chapter 118-6-8: Exception</i> Construction of accessory structures and uses to principal structures that were established as of 7/1/93 and do not result in the creation of 1,000 sq. ft. of additional impervious area within RPA that exceeds 2 percent of the lot area up to maximum 2,500 sq. ft., whichever is greater. A Public Hearing is required. (see note 4)			
13. <i>Chapter 118-6-9: General Exception</i> General exception for construction in an RPA. A Public Hearing is required. (see note 4)	\$730.00	\$730.00	\$170.00
Best Management Practices (BMP) and Stormwater Management (SWM) Applications (see note 5)			
County Ordinance	Fee		
	Pursuant to Chapter 101	Pursuant to Chapter 112	Pursuant to Chapter 104
1. <i>PFM 6-0402.4: SWM/BMP Modification:</i> to use an innovative water quality or detention facility	No fee	No fee	No fee
2. <i>Chapter 118-3-2(f)8: BMP Exemption</i> for maintenance, alteration, use or improvement to an existing structure or use that does not degrade water quality.	No fee	No fee	No fee
2. <i>Chapter 124-6-1, Chapter 118-3-2(e) 3. Chapter 118-3-2(f)5, PFM 6-0401.2:</i> <i>BMP waiver for site and subdivision plans</i>	\$730.00	\$730.00	
3. <i>4. Chapter 124-6-1, Chapter 112-7-808(1), PFM 6-0401. 2 PFM 6-0401.1:</i> <i>BMP waiver for sites located in the Water Supply Overlay District</i>			
4. <i>PFM 6-0301.2 5. PFM 6-0301.3 General SWM Waiver</i>			
5. <i>PFM 6-0303.6 6. PFM 6-0303.8 SWM Modification</i> to locate an underground detention facility on a residential development. Must be approved by the Board in conjunction with a rezoning or special exception application.			
6. <i>7. PFM 6-1603.4: SWM Waiver</i> of the dam breach analysis for dams <70 acres, <15 feet high and <25 acre-feet of storage.			
7. <i>8. PFM 6-1600: SWM Waiver of the dam standards.</i>			
8. <i>Chapter 124-6-1, Chapter 118-3-2(e), PFM 6-0401.3 9. Chapter 118-3-2(f)7, PFM 6-0401.2: BMP</i>			\$170.00

Waiver due to constraints of for a single lot grading plan.			
9. 40. Chapter 101-2-2(12), PFM 6-1307, PFM 6-0303.9 PFM 6-0303.7: SWM Modification to locate a detention facility on an individual residential lot.	\$730.00		

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General Applications	
County Ordinance	Fee
<p>1. General Waiver: Except as noted otherwise in this section, the fee associated with a request for a waiver, exception, or modification of the requirements of the County's Ordinances, including but not limited to the Subdivision Ordinance, Zoning Ordinance, Stormwater Management Ordinance and the Public Facilities Manual.</p>	\$730.00
<p>2. Chapter 101-2-2: Public Street Frontage Waiver Fee for a waiver of the public street frontage requirement. A Public Hearing is required (see note 4)</p>	\$2,050.00
<p>3. Minor Adjustment of Property Lines: Fee for a waiver associated with the minor adjustment of property lines.</p>	\$260.00
<p>Notes:</p> <p>1. CBPO waivers and exception requests submitted under §§ 118-5 and 118-6 require submission of a concurrent Water Quality Impact Assessment (WQIA) and application fee.</p> <p>2. Water quality fees are not required for plans and permits reviewed under Chapter 104 for which fees have been paid in connection with the review and approval of WQIA's, RPA Boundary Delineations, RMA Boundary Delineations, and CBPO exceptions filed under Chapters 101 and 112 of the Code.</p> <p>3. In no instance shall the total fee for all waivers, exceptions and modifications associated with a subdivision, site plan or minor site plan exceed \$2,845.00. CBPO waivers and exceptions associated with grading plans shall not exceed \$710.00.</p> <p>4. An additional fee of \$355.00 shall be paid with the submission of an exception request when a public hearing is required under Article 6 of Chapter 118 of the Code.</p> <p>5. A single fee of \$835.00 shall be paid when combined stormwater and BMP waivers are submitted simultaneously.</p> <p>6. The cumulative fee for any modifications or waivers requested for the portion of a development in which affordable dwelling units are located, and which relate to typical street sections, sidewalks, and/or curb and gutter, shall not exceed \$710.00.</p>	

Case Review of Fees: In the event that, prior to plan approval for review fees or prior to bond release for inspection fees, the payor disputes the fee charged, he may request in writing to the Director a case review of costs incurred by the County. In the case where the review reveals that the fees paid exceed 100% of costs, then a refund of the difference shall be made. If the case review reveals that 100% of the costs incurred by the County exceed the fees paid, then the developer shall pay the difference to the County prior to plan approval for review fees, or prior to bond release for inspection fees.

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- 1 **Amend Section II Site Development Fees, by adding Part G (Plan and Document Review**
 2 **Fees) to read as follows:**
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<u>G. PERMITS FOR DISCHARGES OF STORMWATER FROM CONSTRUCTION ACTIVITY FEES</u>	
<u>The following fees shall be paid for permits for Chesapeake Bay Preservation Act land-disturbing activities, General Permits for Discharges of Stormwater from Construction Activities, modification or transfer of coverage under a permit, and permit maintenance.</u>	
<u>(A) General / Stormwater Management - Base Fee</u>	
<u>The state's portion of the fees for initial coverage under the General Permit for Discharges of Stormwater from Construction Activities shall be paid directly to the state in accordance with §124-3-3.</u>	
<u>1. Chesapeake Bay Preservation Act Land-Disturbing Activity (not subject to General Permit coverage; Sites with land-disturbance acreage equal to or greater than 2,500 square feet and less than 1 acre.</u>	<u>\$308</u>
<u>2. All land disturbing activities requiring General Permit coverage for Discharges of Stormwater from Construction Activities.</u>	<u>\$308</u>
<u>(B) General / Stormwater Management - Modifications</u>	
<u>Fees for the modification or transfer of registration statements for the General Permit for Discharges of Stormwater from Construction Activities. If the permit modifications result in changes to stormwater management plans that require additional review by the County, such reviews shall be subject to the fees set out in this part. The fee assessed shall be based on the total disturbed acreage of the site. In addition to the permit modification fee paid to the County, modifications resulting in an increase in total disturbed acreage shall pay to the state the difference in the initial permit fee paid and the permit fee that would have applied for the total disturbed acreage.</u>	
<u>1. Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than one acre and less than five acres)</u>	<u>\$200</u>
<u>2. Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than five acres and less than 10 acres)</u>	<u>\$250</u>
<u>3. Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 10 acres and less than 50 acres)</u>	<u>\$300</u>
<u>4. Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 50 acres and less than 100 acres)</u>	<u>\$450</u>
<u>5. Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 100 acres)</u>	<u>\$700</u>
<u>(C) General / Stormwater Management – Permit Maintenance</u>	
<u>Fees for annual permit maintenance including expired state permits that have been administratively continued. With respect to the General Permit for Discharges of Stormwater from Construction Activities, these fees shall apply until the state permit coverage is terminated. Fees for annual permit maintenance will be collected on a schedule consistent with the bond acceptance, approval, extension, reduction, and release process for bonded projects and as part of the process for acceptance and release of conservation deposits for non-bonded projects.</u>	

1. <u>Chesapeake Bay Preservation Act Land-Disturbing Activity (not subject to General Permit coverage; Sites with land-disturbance acreage equal to or greater than 2,500 square feet and less than 1 acre.</u>	<u>\$20</u>
2. <u>Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than one acre and less than five acres)</u>	<u>\$400</u>
3. <u>Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than five acres and less than 10 acres)</u>	<u>\$500</u>
4. <u>Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 10 acres and less than 50 acres)</u>	<u>\$650</u>
5. <u>Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 50 acres and less than 100 acres)</u>	<u>\$900</u>
6. <u>Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 100 acres)</u>	<u>\$1,400</u>