

NEW ZONING FEES
EFFECTIVE DATE: JULY 1, 2009
(Adopted by Board of Supervisors April 27, 2009 – as annotated)

REVISED ALTERNATIVE A
(75% cost recovery)
April 27, 2009

(Additions to text shown in bold, italics and underlining and deletions shown in underlining and strikeout.)

This proposed Zoning Ordinance amendment is based on the Zoning Ordinance in effect as of February 9, 2009 and there may be other proposed amendments which may affect some of the numbering, order or text arrangement of the paragraphs or sections set forth in this amendment, which other amendments may be adopted prior to action on this amendment. In such event, any necessary renumbering or editorial revisions caused by the adoption of any Zoning Ordinance amendments by the Board of Supervisors prior to the date of adoption of this amendment will be administratively incorporated by the Clerk in the printed version of this amendment following Board adoption.

1 Amend Article 18, Administration, Amendments, Violations and Penalties, Part 1,
2 Administration, Sect. 18-106, Application and Zoning Compliance Letter Fees, to read as
3 follows:
4

5 All appeals and applications as provided for in this Ordinance and requests for zoning
6 compliance letters shall be accompanied by a filing fee in the amount to be determined by the
7 following paragraphs unless otherwise waived by the Board for good cause shown; except that
8 no fee shall be required where the applicant is the County of Fairfax or any agency, authority,
9 commission or other body specifically created by the County, State or Federal Government. All
10 fees shall be made payable to the County of Fairfax. Receipts therefore shall be issued in
11 duplicate, one (1) copy of which receipt shall be maintained on file with the Department of
12 Planning and Zoning.
13

14 1. Application for a variance, appeal, special permit or special exception:

15 Application for a variance

16 Residential minimum yard variance; maximum fence height \$ ~~295~~ 885

17 variance in residential districts; modification of location regulations

18 or use limitations for residential accessory structures or uses

19 All other variances \$ ~~2645~~ 7935

20 Appeal under Sect. 18-204 and 18-301 \$ ~~375~~ 2455

21 Application for a:

22 Group 1 special permit \$ ~~5295~~ 15885

23 Group 2 special permit \$ ~~5295~~ 15885

1	Group 3 special permit	
2	Churches, chapels, temples, synagogues and other such places of	\$ 3565 <u>10695</u>
3	worship with a child care center, nursery school or private	
4	school which has an enrollment of 100 or more students daily	
5	All other uses	\$ 355 <u>1065</u>
6	Group 4 special permit	\$ 1320 <u>3960</u>
7	Group 5 special permit	\$ 5295 <u>15885</u>
8	Group 6 special permit	\$ 5295 <u>15885</u>
9	Group 7 special permit	\$ 5295 <u>15885</u>
10	Group 8 special permit	
11	Temporary portable storage containers approved by the Zoning	\$ 0
12	Administrator	
13	All <u>other</u> uses approved by the Zoning Administrator	\$ 130 <u>200</u>
14	Temporary portable storage containers approved by the BZA	\$ 0
15	All other uses approved by the BZA	\$ 5295 <u>15885</u>
16	Group 9 special permit	
17	Open air produce stand	\$ 585 <u>1755</u>
18	Accessory dwelling unit	\$ 140 <u>420</u>
19	Modification to minimum yard requirements for R-C lots	\$ 60 <u>180</u>
20	Modification to the limitations on the keeping of animals;	\$ 295 <u>885</u>
21	error in building location; reduction of certain yard requirements	
22	on a single family dwelling lot; modification of minimum yard	
23	requirements for certain existing structures and uses; certain	
24	additions to an existing single family detached dwelling when the	
25	existing dwelling extends into a minimum required yard by more	
26	than fifty (50) percent and/or is closer than five (5) feet to a lot	
27	line; noise barriers on a single residential lot; increase in fence	
28	and/or wall height in any front yard on a single family dwelling	
29	lot	
30	Reduction of certain yard requirements on all other uses,	\$ 2645 <u>7935</u>
31	increase in fence and/or wall height in any front yard	
32	on all other uses	
33	All other uses	\$ 5295 <u>15885</u>

1	Application for a:	
2	Category 1 special exception	\$ 5295 <u>15885</u>
3	Category 2 special exception	\$ 5295 <u>15885</u>
4	Category 3 special exception	
5	Child care centers, nursery schools and private schools	\$ 355 <u>1065</u>
6	which have an enrollment of less than 100 students daily;	
7	churches, chapels, temples, synagogues and other such places	
8	of worship with a child care center, nursery school or private	
9	school which has an enrollment of less than 100 students daily	
10	Churches, chapels, temples, synagogues and other such	\$ 3565 <u>10695</u>
11	places of worship with a child care center, nursery school or	
12	private school which has an enrollment of 100 or more	
13	students daily	
14	All other uses	\$ 5295 <u>15885</u>
15	Category 4 special exception	\$ 5295 <u>15885</u>
16	Category 5 special exception	\$ 5295 <u>15885</u>
17	Category 6 special exception	
18	Reduction of yard requirements for the reconstruction of certain	\$ 0
19	single family detached dwellings that are destroyed by	
20	casualty	
21	Modification of minimum yard requirements for certain existing	
22	structures and uses	\$ 295 <u>885</u>
23	Modification of shape factor limitations	\$ 2645 <u>7935</u>
24	Waiver of minimum lot width requirements in a residential	
25	district	\$ 2645 <u>7935</u>
26	All other uses	\$ 5295 <u>15885</u>
27	Amendment to a pending application for a special permit, variance	10 percent of
28	or special exception	the prevailing
29		application fee
30		
31	Application for an extension of a special permit or special exception	1/8 prevailing
32		fee
33		
34	Application to amend a previously approved and current valid variance	Prevailing fee
35		for new
36		application

1		
2	Application to amend a previously approved and currently valid special	1/2 prevailing
3	permit or special exception with no new construction	fee
4		
5	Application to amend a previously approved and currently valid	Prevailing fee
6	special permit or special exception with new construction	for new
7		application
8		
9	Amendment to a previously approved and currently valid special permit	\$ 295 <u>885</u>
10	or special exception for a reduction of certain yard requirements or an	
11	increase in fence and/or wall height in any front yard on a single family	
12	dwelling lot	
13		
14	Amendment to a previously approved and currently valid special permit	\$ 2645 <u>7935</u>
15	or special exception for a reduction of certain yard requirements or an	
16	increase in fence and/or wall height in any front yard on all other uses	
17		
18	All other amendments to a previously approved and currently valid	
19	Special permit or special exception	
20		
21	With no new construction	½ prevailing
22		fee
23		
24	With new construction	Prevailing fee
25		for new
26		application
27		

28 **Note:** Additional fees may be required for certain special permit and special exception uses to
 29 pay for the cost of regular inspections to determine compliance with performance
 30 standards. Such fees shall be established at the time the special permit or special
 31 exception application is approved.

32
 33 When one application is filed by one applicant for two (2) or more special permit uses
 34 on the same lot, only one filing fee shall be required. Such fee shall be the highest of
 35 the fee required for the individual uses. This shall also apply to an application for two
 36 (2) or more special exceptions or two (2) or more variances filed by one applicant on
 37 the same lot.

38
 39 The fee for an amendment to a pending application for a special permit, variance, or
 40 special exception is only applicable when the amendment request results in a change in
 41 land area, change in use or other substantial revision.
 42

2. Application for an amendment to the Zoning Map:

District Requested	Filing Fee
All R Districts	\$ 8820 <u>26460</u> plus \$ 185 <u>555</u> per acre
All C, I and Overlay Districts	\$ 8820 <u>26460</u> plus \$ 295 <u>885</u> per acre
PRC District	\$ 8820 <u>26460</u> plus \$ 295 <u>885</u> per acre
Application with concurrent filing of a PRC plan	\$ 8820 <u>26460</u> plus \$ 435 <u>1305</u> per acre
PRC plan	\$ 4410 <u>13230</u> plus \$ 140 <u>420</u> per acre
<u>Conceptual Plan</u>	<u>\$13230 plus \$420 per acre</u>
PDH, PDC and PRM District	
Application with conceptual development plan	\$ 8820 <u>26460</u> plus \$ 295 <u>885</u> per acre
Application with concurrent filing of conceptual and final development plans or conceptual/final development plan and conceptual plan	\$ 8820 <u>26460</u> plus \$ 435 <u>1305</u> per acre
Final development plan, conceptual plan	\$ 4410 <u>13230</u> plus \$ 140 <u>420</u> per acre
<u>All Districts</u>	
Amendment to a pending application for an amendment to the Zoning Map	\$ 1470 <u>4410</u> plus applicable per acre fee for acreage affected by the amendment
Amendment to a pending application for a final development plan or development plan amendment, conceptual plan or PRC plan	\$ 1335 <u>4005</u>
Amendment to a previously approved proffered condition, development plan, final development plan, conceptual development plan, PRC plan, conceptual plan or concurrent conceptual/final development plan for a reduction of certain yard requirements on a single family dwelling lot or an increase in fence and/or wall height on a single family dwelling lot	\$ 295 <u>885</u>

1 Amendment to a previously approved proffered \$2645 7935
 2 condition, development plan, final development
 3 plan, conceptual development plan, ~~conceptual plan~~,
 4 PRC plan or concurrent conceptual/final
 5 development plan for a reduction of certain yard
 6 requirements on all other uses or an increase in
 7 fence and/or wall height on all other uses

8
 9 All other amendments to a previously approved
 10 development plan, proffered condition, conceptual
 11 development plan, final development plan, PRC
 12 plan, ~~conceptual plan~~ or concurrent conceptual/final
 13 development plan

14
 15 With new construction \$4410 13230 plus applicable per
 16 acre fee for acreage affected by
 17 the amendment

18
 19 With no new construction \$4410 13230

20
 21 **Note:** For purpose of computing acreage fees, any portion of an acre shall be counted as
 22 an acre.

23
 24 The fee for an amendment to a pending application is only applicable when the
 25 amendment request results in a change in land area, change in use or other
 26 substantial revision.

27
 28 3. Comprehensive sign plan: ~~\$2670~~ 8010

29
 30 Amendment to a comprehensive sign plan: ~~\$1335~~ 4005

31
 32 4. Refund of fees for withdrawal of applications shall be in accordance with the provisions of
 33 Sections 112, 208 and 308. There shall be no refund of fees for applications that have been
 34 dismissed in accordance with the provisions of Sections 113 and 209.

35
 36 5. Fees for home occupations, sign permits and site plans shall be as specified in Articles 10,
 37 12 and ~~Article~~ 17, respectively.

38
 39 6. Zoning compliance letter:

40
 41 Single family: ~~\$90~~ 110 for each lot requested
 42 All other uses: ~~\$265~~ 310 for each lot requested

43
 44 7. Modification to the requirements of the Affordable Dwelling Unit Program: ~~\$890~~ 2670

45
 46 8. Non-Residential Use Permit: ~~\$40~~ 65

1
2 9. Interpretation of approved zoning applications: \$500

3
4 10. Public hearing deferrals (other than appeals under Sect. 18-301) requested by applicant after
5 public notice has been given under Sect. 18-110:

- 6 Board of Zoning Appeals: \$130
- 7 Planning Commission: \$1000 (per request)
- 8 Board of Supervisors: \$1000 (per request)

Decision on highlighted text to
be deferred until June 22, 2009

9
10
11
12 **Amend Article 10, Accessory Uses, Accessory Service Uses and Home Occupations, Part 3,**
13 **Home Occupations, Sect. 10-301, Authorization, to read as follows:**

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15 Home occupations are permitted in any dwelling unit subject to the approval by the Zoning
16 Administrator and the following provisions listed below. An application for a home occupation
17 shall be filed with the Zoning Administrator on forms furnished by the County. The application
18 for a home occupation shall be accompanied by a filing fee of fifty dollars (\$50) made payable to
19 the County of Fairfax.

20
21
22 **Amend Article 12, Signs, Part 3, Administration, Sect. 12-302, Permit Application, to read**
23 **as follows:**

24
25 The application for a sign permit shall be filed with the Zoning Administrator on forms furnished
26 by the County. The application shall contain the identification and address of the property on
27 which the sign is to be erected; the name and address of the sign owner and of the sign erector;
28 drawings showing the design, dimensions and location on the building/site of the sign; and such
29 other pertinent information as the Zoning Administrator may require to ensure compliance with
30 the provisions of this Ordinance and other applicable ordinances of the County.

31 The application for a permit shall be accompanied by a filing fee made payable to the County
32 of Fairfax in the amount of ~~fifty~~ ninety dollars (\$~~50~~ 90).

33
34
35 **Amend Article 20, Ordinance Structure, Interpretations and Definitions, Part 3,**
36 **Definitions, by adding new definitions for Conceptual Plans and Interpretation of**
37 **Approved Zoning Applications in the correct alphabetical order and to read as follows:**

38
39 ~~CONCEPTUAL PLANS: A plan of development submitted in accordance with the proffered~~
40 ~~conditions approved pursuant to Rezoning RZ 85 C 088, RZ 86 C 121, RZ 86 C 118, RZ 86 C~~
41 ~~119 and RZ 89 C 025, all as amended.~~

42
43 INTERPRETATION OF APPROVED ZONING APPLICATIONS: A determination made by
44 the Zoning Administrator or agent that a proposed minor modification to a zoning application
45 approved by the Board of Supervisors, the Planning Commission or the Board of Zoning

1 Appeals is in substantial conformance with the approved zoning. Such determinations are
2 typically made in the form of a letter and may include interpretations of proffers, development
3 conditions, development plans, and plats.
4