

**FAIRFAX COUNTY PLANNING COMMISSION  
LAND USE PROCESS REVIEW COMMITTEE  
THURSDAY, FEBRUARY 29, 2024**

**PRESENT:** John C. Ulfelder, Dranesville District, Chairman  
Timothy J. Sargeant, Commissioner At-Large, Vice Chairman  
Mary D. Cortina, Braddock District  
Jeremy Hancock, Providence District  
Evelyn S. Spain, Sully District  
Candice Bennett, Commissioner At-Large  
Phillip A. Niedzielski-Eichner, At-Large

**ABSENT:** Daniel G. Lagana, Franconia District  
Peter F. Murphy, Springfield District

**OTHERS:** John A. Carter, Hunter Mill District  
Casey Judge, Zoning Administration Division (ZAD),  
Department of Planning and Development (DPD)  
Adam Nowaczyk, ZAD, DPD  
Randal Farren, Planning and Development, Park Authority  
Bill Hicks, Land Development Services (LDS)  
Helman Castro, Director of Operations, LDS  
Kirsten Munz, Permitting and Code Administration, LDS  
Samantha Lawrence, Senior Deputy Clerk, Planning Commission,  
Department of Clerk Services

**ATTACHMENTS:**

- A. HANDOUT: ZONING APPLICATION FEES
- B. PRESENTATION ON ZONING APPLICATION FEES & PLANNED DISTRICT  
RECREATIONAL FACILITIES MINIMUM EXPENDITURE
- C. LAND DEVELOPMENT SERVICES FEE SCHEDULE (APPENDIX Q) UPDATES

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Chairman John C. Ulfelder called the meeting to order at 7:30 p.m. in Conference Room 11 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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**MINUTES APPROVAL**

Commissioner Cortina MOVED APPROVAL OF THE MINUTES FOR THE LAND USE PROCESS REVIEW COMMITTEE MEETING HELD ON JANUARY 11, 2024.

Commissioner Sargeant seconded the motion, which was carried by a vote of 7-0. Commissioners Murphy and Lagana were absent from the meeting.

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Chairman Ulfelder stated that the purpose of the meeting was to hear presentations from staff on the zoning application fees and planned district recreational minimum expenditure.

Adam Nowaczyk, Zoning Administration Division (PD), Department of Planning and Development (DPD) introduced staff and gave a presentation on the zoning application fees and planned district recreational minimum expenditure. A copy of the staff's presentation is located in the date file.

Mr. Nowaczyk came to a stopping point in his presentation and took questions from the Committee.

There was a discussion between Mr. Nowaczyk; Casey Judge, ZAD, DPD; and multiple Committee members regarding the following:

- Staff discussed the differences between Fairfax County's zoning fees in comparison to those of neighboring jurisdictions;
- Staff disclosed that Arlington, Loudoun, and Montgomery Counties were also planning fee increases in 2024;
- Staff disclosed that the Board of Supervisors' Land Use Policy Committee offered a recommendation to review zoning application fees either annually or biennial;
- Staff confirmed that approving increases to zoning application fees would require a public hearing;
- Staff suggested that the modifications to zoning application fees be added to the work program;
- Staff would consider an amendment that the Planning Commission and the Board of Supervisors authorize the review of application fee structures on a regular basis;
- Staff's intent was to advertise zoning application fee increases for up to 35% and the Planning Commission and the Board of Supervisors could choose to keep application fees at the current rate, increase them at a lesser percentage, or another alternative recourse;
- The Board of Supervisors directed staff to review cost recovery metrics on applications and provide a breakdown on costs for special permits, special exceptions, and rezoning applications;
- Staff discussed the implications of having a more phased approach that was specific to the types of applications;
- The amount of revenue from zoning application fees that would go into the general fund if the County considered a phased approach;

- Staff agreed to provide additional information to the Committee on whether 35% of zoning application fees were incorporated into the County Executive's proposed Fiscal Year 2025 and Fiscal Year 2026 multi-year budget plan;
- Staff confirmed that the proposed zoning application fee was a flat fee, had a per-acre fee in addition to the flat fee, and all other applications had a flat, one-time application fee;
- A suggestion that staff consider the type of application and geographic location of a property when assessing an appropriate application fee;
- A discussion on how zoning application fees changed over time and how the costs associated with reviewing the application reflected DPD's staff time;
- A discussion on the reasons why there was a difference in application fees for the neighboring jurisdictions; and
- Staff collaborated with the Fairfax County Park Authority on fees.

Mr. Nowaczyk continued his presentation on the zoning application fees and planned district recreational minimum expenditure.

There was a discussion between Ms. Judge; Randall Farren, Planning and Development, Park Authority; and multiple Committee members regarding the following:

- A discussion on the \$1,900 expenditure change per dwelling unit for recreational facilities in Planned Development Housing, Planned Development Commercial, Planned Residential Mixed-Use, and Planned Tysons Corner Urban districts;
- A discussion on the reasons why the recreation minimum expenditure requirements were not applicable to the Planned Residential Community (PRC) and Planned Continuing Care Retirement (PCC) districts;
- Staff agreed to look into the history of the PRC and the PCC districts in advance of the subsequent Land Use Process Review Committee meeting;
- A request that the members of Committee coordinate with staff on matters of concern regarding the proposed plan in order to draft a motion that reflected staff's position and offer appropriate follow-on motions;
- Staff agreed to provide the Committee with information on the implications of the 35% increase for zoning application fees versus consideration of a base approach to fee structures;
- A recommendation that all answers from questions presented to staff be consolidated by Commissioner Niedzielski-Eichner to be presented at the Land Use Process Review Committee meeting scheduled for March 21, 2024;

- Staff clarified that cost recovery was part of the previous justification for fee increases;
- Staff clarified that the Department of Planning and Development was not a cost recovery agency;
- Staff clarified that the proposal before the Committee was only to consider an overall cost of living increase for zoning application fees, which did not include a cost recovery target;
- Staff clarified that, based on the *Virginia Code* limitations, the goal of the proposed fee increases was to not exceed the 100% cost recovery;
- A discussion on the implications of not raising the zoning application fees;
- Staff clarified that a phased approach to fee increases was not proposed;
- Staff proposed a 35% fee increase across the board and would take effect July 1, 2024;
- Staff confirm there was not a tier framework for zoning application fees; and
- Staff discussed the determining factors for their recommendation for a 35% fee increase.

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Chairman Ulfelder acknowledged staff presenting on the services fee schedule (Appendix Q) updates.

Bill Hicks, Director, Land Development Services (LDS) gave a presentation on the agency's services fee schedule (Appendix Q). A copy of the staff's presentation is located in the date file.

There was a discussion between Mr. Hicks and multiple Committee members regarding the following:

- Staff was commended on improvements made to LDS' customer service hold times of less than one minute;
- Staff disclosed that labor, cost of living, and merit increases were the primary driver for fee increases and inspection;
- Staff discussed the implications of a phased in fee increase over a period of time;
- Staff disclosed that automated surveys were sent to customers and comments were received, reviewed, and compiled every month;
- Staff disclosed they had attended NAIOP Commercial Real Estate Development Association, National Association of Home Builders, and (PRO) Mid Atlantic meetings on a regular basis;

- Staff received feedback from larger projects and addressed any concerns;
- The mission of LDS was to build safe, sustainable communities and not to cover costs articulated in the Zoning Ordinance, Stormwater Management Ordinance, and Chesapeake Bay Preservation Ordinance;
- Staff disclosed their process that addressed inadequate development submitters or developers that caused difficulties in the development community;
- Staff agreed to provide the Committee with NAIOP's study that addressed the health and wellness in industry buildings; and
- Staff disclosed they were in the process of launching a website for the development community that outlined outreach and education opportunities provided for onsite training.

Vice Chairman Sargent MOVED THAT THE LAND USE PROCESS REVIEW COMMITTEE MEETING BE ADJOURNED.

Commissioner Bennett seconded the motion which was carried by a vote of 7-0. Commissioners Murphy and Lagana were absent from the meeting.

Chairman Ulfelder thanked staff for their presentation.

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CLOSING


February 29, 2024

The meeting was adjourned at 9:40 p.m.  
John C. Ulfelder, Chairman

An audio recording of this meeting is available in the Planning Commission Office,  
12000 Government Center Parkway, Suite 552, Fairfax, Virginia 22035.

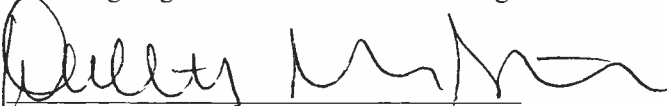
Minutes by: Samantha Lawrence

Approved: March 21, 2024

  
\_\_\_\_\_  
Jacob Caporaletti, Clerk  
Fairfax County Planning Commission

County of Fairfax  
Commonwealth of Virginia

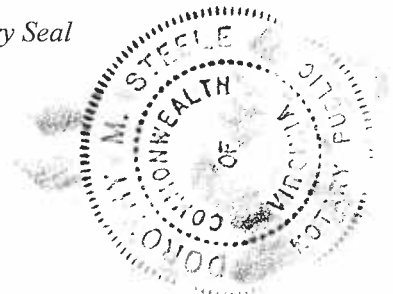
The foregoing instrument was acknowledged before me this 23 day of April 2024, by Jacob Caporaletti.

  
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Signature of Notary

Notary Seal

Notary registration number: 7114113

Commission expiration: January 31, 2028



## Proposed Fee Increase of 35 Percent

The following table shows a proposed 35 percent increase (rounding to the nearest \$5) for a majority of zoning application fees; staff proposes increasing the fee for appeals by 20 percent to \$720.

### 8102. Fee Schedule

| TABLE 8102.1: FEE SCHEDULE  |                                    |                                    |
|---|------------------------------------|------------------------------------|
| This table includes standard fees related to approvals under the Zoning Ordinance. Additional fees may apply related to review or approval by other County departments or governmental or quasi-governmental agencies, or in accordance with Appendix Q of the County Code. |                                    |                                    |
| APPLICATION TYPE  |                                    | FEE [1]                            |
| <b>MISCELLANEOUS PERMITS AND APPROVALS</b>  |                                    |                                    |
| <b>General</b>  |                                    |                                    |
| Interpretation of Approved Zoning Application or Minor Variation to Proffered Conditions  |                                    | <del>\$520</del> <u>\$700</u>      |
| Modification to the Affordable Dwelling Unit Program  |                                    | <del>\$2,755</del> <u>\$3,720</u>  |
| Nonresidential Use Permit (NonRUP)  |                                    | <del>\$70</del> <u>\$95</u>        |
| Zoning Compliance Letter  | Dwelling, Single-Family, Per Lot   | <del>\$115</del> <u>\$155</u>      |
|   | All Other Uses, Per Lot            | <del>\$320</del> <u>\$430</u>      |
| General Public Facilities   | 2232 Review with Public Hearing    | <del>\$1,500</del> <u>\$2,025</u>  |
|   | 2232 Review without Public Hearing | <del>\$750</del> <u>\$1,015</u>    |
| Sign Permits  |                                    | <del>\$95</del> <u>\$130</u>       |
| <b>Wireless Telecommunications</b>  |                                    |                                    |
| Wireless Reviews to Determine Compliance with Sect. 6409 of the Spectrum Act  |                                    | \$500                              |
| Wireless Facilities   | Standard Process Project           | <del>\$6,200</del> <u>\$8,370</u>  |
| <b>Variance [2]</b>   |                                    |                                    |
| Increase in Maximum Fence or Wall Height  | Residential District               | <del>\$435</del> <u>\$585</u>      |
|   | Commercial or Industrial District  | <del>\$2,500</del> <u>\$3,375</u>  |
| Modification of Residential Setback   |                                    | <del>\$910</del> <u>\$1,230</u>    |
| Modification of Residential Accessory Structure Use or Location Standards per subsection 4102.7   |                                    | <del>\$910</del> <u>\$1,230</u>    |
| Modification of Grade for Single-Family Detached Dwelling   |                                    | <del>\$910</del> <u>\$1,230</u>    |
| Increase in Building Height for a Single-Family Detached Dwelling   |                                    | <del>\$910</del> <u>\$1,230</u>    |
| All Other Variances   |                                    | <del>\$8,180</del> <u>\$11,045</u> |
| <b>Appeal</b>   |                                    |                                    |
| Appeal to BZA   |                                    | <del>\$600</del> <u>\$720</u>      |
| Appeal to Board   |                                    | <del>\$600</del> <u>\$720</u>      |
| <b>ADMINISTRATIVE PERMITS</b>   |                                    |                                    |
| General Fee Unless Otherwise Listed   |                                    | <del>\$205</del> <u>\$275</u>      |
| <b>Accessory Uses</b>   |                                    |                                    |
| Accessory Living Unit   | Permit                             | <del>\$200</del> <u>\$270</u>      |
|   | Renewal Fee                        | <del>\$70</del> <u>\$95</u>        |
| Agritourism Tier 4  | Permit                             | <del>\$205</del> <u>\$275</u>      |
|   | Renewal Fee                        | <del>\$50</del> <u>\$70</u>        |

**Zoning Application Fees Handout**  
**Land Use Process Review Committee – February 29, 2024**

**TABLE 8102.1: FEE SCHEDULE**

This table includes standard fees related to approvals under the Zoning Ordinance. Additional fees may apply related to review or approval by other County departments or governmental or quasi-governmental agencies, or in accordance with Appendix Q of the County Code.

| APPLICATION TYPE   |   | FEE [1]                             |
|--|---|-------------------------------------|
| Family Health Care Structure   |   | \$100                               |
| Home-Based Business  |   | <del>\$100</del> <u>\$135</u>       |
| Limited Riding or Boarding Stable  |   | <del>\$50</del> <u>\$70</u>         |
| Short-Term Lodging   | Two Year Permit   | <del>\$200</del> <u>\$270</u>       |
| <b>Temporary Uses</b>  |   |                                     |
| Community Garden   | Permit  | <del>\$205</del> <u>\$275</u>       |
|  | Two Year Renewal Fee  | <del>\$50</del> <u>\$70</u>         |
| Farmer's Market  | Permit  | <del>\$205</del> <u>\$275</u>       |
|  | Two Year Renewal Fee  | <del>\$50</del> <u>\$70</u>         |
| Food Truck   | One Year Operation Permit   | <del>\$100</del> <u>\$135</u>       |
|  | Location Permit   | <del>\$100</del> <u>\$135</u>       |
| Portable Storage Container   |   | \$0                                 |
| <b>SPECIAL PERMITS [2]</b>   |   |                                     |
| Standard fees for special permit approvals are listed below.                                 |   |                                     |
| General Fee Unless Otherwise Listed  |   | <del>\$16,375</del> <u>\$22,105</u> |
| <b>Principal Uses</b>  |   |                                     |
| Community Swim, Tennis and Recreation Club   |   | <del>\$4,085</del> <u>\$5,515</u>   |
| Group Household or Religious Group Living  |   | <del>\$1,100</del> <u>\$1,485</u>   |
| Marina, Private Noncommercial  |   | <del>\$4,085</del> <u>\$5,515</u>   |
| Religious Assembly   |   | <del>\$1,100</del> <u>\$1,485</u>   |
| Religious Assembly with Private School, Specialized Instruction Center, or Child Care Center | Private School, Specialized Instruction Center, or Child Care Center with fewer than 100 children | <del>\$1,100</del> <u>\$1,485</u>   |
|  | Private School, Specialized Instruction Center, or Child Care Center with 100 children or more    | <del>\$11,025</del> <u>\$14,885</u> |
| Stable, Riding or Boarding   |   | <del>\$8,180</del> <u>\$11,045</u>  |
| <b>Accessory and Temporary Uses</b>  |   |                                     |
| Accessory Living Unit  | Special Permit  | <del>\$435</del> <u>\$585</u>       |
|  | Renewal Fee   | <del>\$70</del> <u>\$95</u>         |
| Community Garden   |   | <del>\$435</del> <u>\$585</u>       |
| Home Day Care Facility   |   | <del>\$435</del> <u>\$585</u>       |
| Home-Based Business  |   | <del>\$435</del> <u>\$585</u>       |
| Special Event for longer than 21 days  |   | <del>\$4,090</del> <u>\$5,520</u>   |
| <b>Other Special Permits</b>   |   |                                     |
| Accessory Structures on Through Lots   |   | <del>\$910</del> <u>\$1,230</u>     |
| Increase in the Cumulative Square Footage of Freestanding Accessory Structures               |   | <del>\$910</del> <u>\$1,230</u>     |
| Increase in Fence or Wall Height   | Dwelling, Single-Family   | <del>\$435</del> <u>\$590</u>       |
|  | All Other Uses  | <del>\$2,500</del> <u>\$3,375</u>   |
| Increase in Flagpole Height  |   | <del>\$435</del> <u>\$590</u>       |



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**Land Use Process Review Committee – February 29, 2024**

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| APPLICATION TYPE  |   | FEE [1]                             |
|---|---|-------------------------------------|
| Increase in the Height of a Freestanding Accessory Structure                |   | <del>\$910</del> <u>\$1,230</u>     |
| Increase in Percentage of Rear Setback Coverage                             |   | <del>\$910</del> <u>\$1,230</u>     |
| Installation or Modification of a Noise Barrier on a Single Residential Lot |   | <del>\$910</del> <u>\$1,230</u>     |
| Modification of Grade for Single-Family Detached Dwelling                   |   | <del>\$910</del> <u>\$1,230</u>     |
| Modification of Limits to Keeping of Animals                                |   | <del>\$435</del> <u>\$590</u>       |
| Modification of Minimum Setback Requirements                                | Error in Building Location                                    | <del>\$910</del> <u>\$1,230</u>     |
|   | Certain Existing Structures and Uses                          | <del>\$910</del> <u>\$1,230</u>     |
|   | Certain Additions to Existing Single-Family Detached Dwelling | <del>\$910</del> <u>\$1,230</u>     |
|   | Reduction of Required Setbacks for a Single-Family Lot        | <del>\$910</del> <u>\$1,230</u>     |
|   | All Other Uses  | <del>\$8,180</del> <u>\$11,045</u>  |
| <b>SPECIAL EXCEPTIONS [2]</b>   |   |                                     |
| Standard fees for special exception approvals are listed below.             |   |                                     |
| General Fee Unless Otherwise Listed   |   | <del>\$16,375</del> <u>\$22,105</u> |
| <b>Principal Uses</b>   |   |                                     |
| Adult Day Care Center   | Fewer Than 100 Adults   | <del>\$1,100</del> <u>\$1,485</u>   |
|   | 100 or More Adults  | <del>\$11,025</del> <u>\$14,885</u> |
| Adult Day Support Center  | Fewer Than 100 Adults   | <del>\$1,100</del> <u>\$1,485</u>   |
|   | 100 or More Adults  | <del>\$11,025</del> <u>\$14,885</u> |
| Agritourism   |   | <del>\$4,090</del> <u>\$5,520</u>   |
| Alternative Use of Historic Building  |   | <del>\$8,180</del> <u>\$11,045</u>  |
| Bed and Breakfast   |   | <del>\$8,180</del> <u>\$11,045</u>  |
| Child Care Center   | Fewer Than 100 Children                                       | <del>\$1,100</del> <u>\$1,485</u>   |
|   | 100 or More Children  | <del>\$11,025</del> <u>\$14,885</u> |
| Club, Service Organization, or Community Center                             |   | <del>\$4,085</del> <u>\$5,515</u>   |
| Congregate Living Facility  |   | <del>\$8,180</del> <u>\$11,045</u>  |

**Zoning Application Fees Handout**  
**Land Use Process Review Committee – February 29, 2024**

**TABLE 8102.1: FEE SCHEDULE**

This table includes standard fees related to approvals under the Zoning Ordinance. Additional fees may apply related to review or approval by other County departments or governmental or quasi-governmental agencies, or in accordance with Appendix Q of the County Code.

| APPLICATION TYPE   |  |  | FEE [1]                             |
|--|--|--|-------------------------------------|
| Farm Winery, Limited Brewery, or Limited Distillery  | R-C District:<br>Development of a new use or expansion of an existing use for any agricultural building or structure:  | That does not permit access by any member of the public, whether a customer, guest, or attendee at a public or private event or activity | <del>\$1,000</del> <u>\$1,350</u>   |
|  |  | With no construction of buildings or structures over 400 SF in GFA or no land disturbance over 2,500 SF                                  | <del>\$4,090</del> <u>\$5,520</u>   |
|  | R-C District: Establishment of a new use or expansion of an existing use with construction of buildings or structures over 400 SF in GFA or land disturbance over 2,500 SF |  | <del>\$8,180</del> <u>\$11,045</u>  |
|  | R-A, R-C, R-E, and R-1 District: Modification of the number of attendees, frequency, or duration of events or activities   |  | <del>\$4,090</del> <u>\$5,520</u>   |
| Group Household or Religious Group Living  |  |  | <del>\$1,100</del> <u>\$1,485</u>   |
| Independent Living Facilities for Low Income Tenants per Subsection 4102.4.P(1)(c) [3]       |  |  | <del>\$1,100</del> <u>\$1,485</u>   |
| Marina, Private Noncommercial  |  |  | <del>\$4,085</del> <u>\$5,520</u>   |
| Quasi-Public Park, Playground, or Athletic Field   |  |  | <del>\$8,180</del> <u>\$11,045</u>  |
| Religious Assembly   |  |  | <del>\$1,100</del> <u>\$1,485</u>   |
| Religious Assembly with Private School, Specialized Instruction Center, or Child Care Center | Private School, Specialized Instruction Center, or Child Care Center with fewer than 100 children  |  | <del>\$1,100</del> <u>\$1,485</u>   |
|  | Private School, Specialized Instruction Center, or Child Care Center with 100 children or more   |  | <del>\$11,025</del> <u>\$14,885</u> |
| School, Private  | Fewer than 100 students  |  | <del>\$1,100</del> <u>\$1,485</u>   |
|  | 100 or more students   |  | <del>\$11,025</del> <u>\$14,885</u> |
| Specialized Instruction Center   | Fewer than 100 students  |  | <del>\$1,100</del> <u>\$1,485</u>   |
|  | 100 or more students   |  | <del>\$11,025</del> <u>\$14,885</u> |
| Stable, Riding or Boarding   |  |  | <del>\$8,180</del> <u>\$11,045</u>  |

**Zoning Application Fees Handout**  
**Land Use Process Review Committee – February 29, 2024**

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| APPLICATION TYPE   |   | FEE [1]   |
|--|---|---|
| <b>Accessory Uses and Other Special Exceptions</b>   |   |   |
| Home Day Care Facility   |   | <del>\$435</del> <u>\$590</u>   |
| Modification of Shape Factor   |   | <del>\$8,180</del> <u>\$11,045</u>  |
| Modification of Grade for Single-Family Detached Dwellings   |   | <del>\$910</del> <u>\$1,230</u>   |
| Modification of Minimum Setback Requirements   | Certain Existing Structures and Uses  | <del>\$910</del> <u>\$1,230</u>   |
|  | Reconstruction of Certain Single-Family Detached Dwellings that are Destroyed by Casualty | \$0   |
| Sign Modifications   |   | <del>\$8,260</del> <u>\$11,045</u>  |
| Amendment to Approved Sign Modifications   |   | <del>\$4,130</del> <u>\$5,575</u>   |
| Waiver of Minimum Lot Size Requirements  |   | <del>\$8,180</del> <u>\$11,045</u>  |
| Addition to or Replacement of a Single-Family Detached Dwelling Existing as of May 10, 2023, in a Floodplain |   | <del>\$8,180</del> <u>\$11,045</u>  |
| <b>ZONING MAP AMENDMENTS [5]</b>   |   |   |
| <b>District Requested</b>  |   |   |
| Residential District   |   | <del>\$27,280 plus \$570 per acre</del> <u>\$36,830 plus \$770 per acre</u>     |
| Commercial, Industrial, or Overlay District  |   | <del>\$27,280 plus \$910 per acre</del> <u>\$36,830 plus \$1,230 per acre</u>   |
| PRC District   | Rezoning with Concurrent Development Plan   | <del>\$27,280 plus \$910 per acre</del> <u>\$36,680 plus \$1,230 per acre</u>   |
|  | Rezoning with Concurrent Development Plan and PRC Plan                                    | <del>\$27,280 plus \$1,345 per acre</del> <u>\$36,680 plus \$1,815 per acre</u> |
|  | PRC Plan  | <del>\$13,640 plus \$435 per acre</del> <u>\$18,415 plus \$590 per acre</u>     |
|  | PRC Plan with Concurrent DPA, PCA, Special Exception, or Special Permit                   | <del>\$16,375 plus \$435 per acre</del> <u>\$22,105 plus \$590 per acre</u>     |
| PDH, PDC, PRM, PTC, and PCC Districts  | Rezoning with Concurrent Conceptual Development Plan                                      | <del>\$27,280 plus \$910 per acre</del> <u>\$36,680 plus \$1,230 per acre</u>   |
|  | Rezoning with Concurrent Conceptual and Final Development Plans                           | <del>\$27,280 plus \$1,345 per acre</del> <u>\$36,680 plus \$1,815 per acre</u> |
|  | Final Development Plan after Prior Approval of Rezoning and Conceptual Development Plan   | <del>\$13,640 plus \$435 per acre</del> <u>\$18,415 plus \$590 per acre</u>     |
| <b>AMENDMENTS TO PENDING AND PREVIOUSLY APPROVED APPLICATIONS AND EXTENSIONS OF TIME [4][5]</b>              |   |   |
| <b>Applications for Variance, SP, or SE Approvals</b>  |   |   |
| Extension of Time for a Special Permit or Special Exception Per Subsection 8100.3.D(3) or 8100.4.D(3)        |   | 1/8 of Application Fee  |
| Amendment to a Pending Application for a Variance, Special Permit, or Special Exception                      |   | 1/10 of Application Fee   |

**Zoning Application Fees Handout**  
**Land Use Process Review Committee – February 29, 2024**

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This table includes standard fees related to approvals under the Zoning Ordinance. Additional fees may apply related to review or approval by other County departments or governmental or quasi-governmental agencies, or in accordance with Appendix Q of the County Code.

| APPLICATION TYPE  |  | FEE [1]   |
|---|--|---|
| Amendment to a Previously Approved and Currently Valid Application  | Change of Permittee Only (SP)  | <del>\$500 or 1/2 of Application Fee, Whichever is Less</del> <u>The lesser of \$675 or 1/2 of Application Fee</u>  |
|   | With No New Construction (Variance, SP, or SE)   | 1/2 of New Application Fee  |
|   | With New Construction (Variance, SP, or SE)  | New Application Fee   |
| <b>Applications for Zoning Map and Related Plan Approvals</b>   |  |   |
| Amendment to a Pending Amendment to Zoning Map in all Districts   |  | <del>\$4,545 plus applicable per acre fee for acreage affected by the amendment</del> <u>\$6,135 plus applicable per acre fee for acreage affected by the amendment</u> |
| Pending Application for a Final Development Plan or Development Plan Amendment or PRC Plan  |  | <del>\$4,130</del> <u>\$5,575</u>   |
| Amendments to a Previously Approved Proffered Condition and/or Development Plan, Final Development Plan, Conceptual Development Plan, PRC Plan or Concurrent Conceptual/Final Development Plan for: | Increase in Fence or Wall Height on a Single-Family Lot                                  | <del>\$435</del> <u>\$590</u>   |
|   | Increase in Fence or Wall Height on All Other Uses                                       | <del>\$2,500</del> <u>\$3,375</u>   |
|   | Reduction of Certain Setback Requirements on a Single-Family Lot                         | <del>\$910</del> <u>\$1,230</u>   |
|   | Reduction of Certain Yard Requirements on All Other Uses                                 | <del>\$8,180</del> <u>\$11,045</u>  |
|   | Increase in Coverage Limitation for Minimum Required Rear Setbacks                       | <del>\$910</del> <u>\$1,230</u>   |
|   | The Addition of or Modification to an Independent Living Facility for Low Income Tenants | <del>\$1,100</del> <u>\$1,485</u>   |
|   | All Other Uses With New Construction   | 1/2 of prevailing fee plus applicable per acre fee for acreage affected by the amendment  |
|   | All Other Uses Without New Construction  | 1/2 of prevailing fee   |
|   | Deletion of Land Area Only   | 1/4 of prevailing fee   |
| <b>Deferrals of Public Hearings</b>   |  |   |
| Before the Planning Commission or Board of Supervisors  | After Public Notice Has Been Given and that are Related Solely to Affidavit Errors       | <del>\$260 plus actual costs of advertising, up to a maximum of \$1,000</del> <u>\$350 plus actual costs of advertising, up to a maximum of \$1,350</u>                 |

**TABLE 8102.1: FEE SCHEDULE**

**This table includes standard fees related to approvals under the Zoning Ordinance. Additional fees may apply related to review or approval by other County departments or governmental or quasi-governmental agencies, or in accordance with Appendix Q of the County Code.**

| APPLICATION TYPE  | FEE [1] |
|---|---------|
| <b>Notes:</b> <ul style="list-style-type: none"><li>[1] In calculating fees that based on acreage, any portion of an acre will count as a full acre.</li><li>[2] When one application is filed by one applicant for (1) two or more Variances on the same lot, or (2) two or more Special Permit uses on the same lot, or (3) two or more Special Exception uses on the same lot, or (4) a combination of two or more Variances or Special Permits on the same lot, only one filing fee will be required, and that fee will be the highest of the fees required for the individual uses included in the application.</li><li>[3] Applies to a new application or an amendment to a previously approved and currently valid application, with or without new construction.</li><li>[4] The fee for an amendment to a pending application is only applicable when the amendment request results in a substantial revision, as determined by the Zoning Administrator.</li><li>[5] For purposes of computing acreage fees, any portion of an acre is counted as an acre.</li></ul> |         |



# **Zoning Application Fees & Planned District Recreational Minimum Expenditure**

Land Use Process Review Committee  
February 29, 2024

Adam Nowaczyk, Department of Planning and Development

# Most recent Zoning Ordinance amendments for application fees

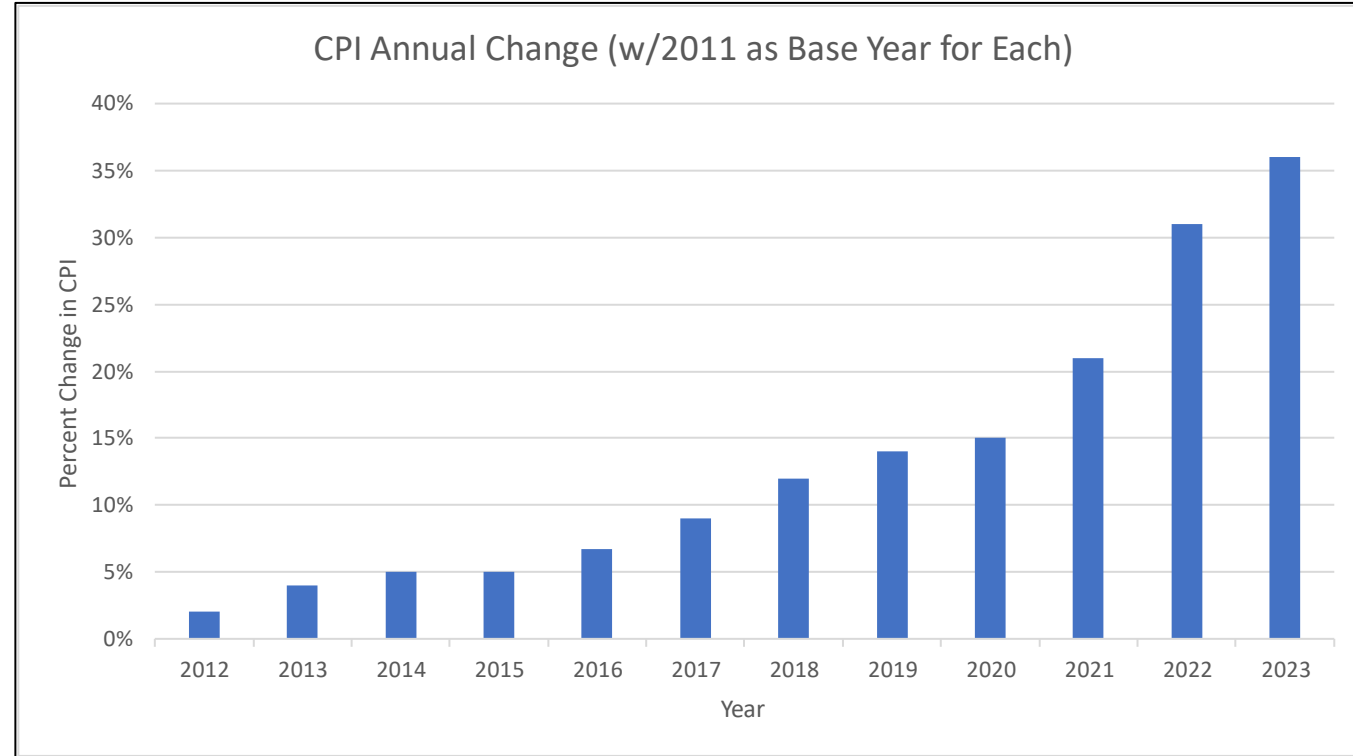
## ZO-09-418 (2009) and ZO-11-429 (2011)

- Fee amendments:
  - 2009: 200% increase
  - 2011: 3.1% increase
  - 2021: new fees created and certain fees lowered w/ original zMOD adoption
- Justification 2009/2011:
  - Increase cost recovery, offset inflation as reflected in personnel costs
- Analysis 2009/2011:
  - Neighboring jurisdictions and Consumer Price Index (CPI)



# Inflationary costs over time

- Personnel
  - Total hourly salary increased 51%
  - 21 additional staff since 2011
- 12 years since last increase



Data Source: [https://www.bls.gov/data/inflation\\_calculator.htm](https://www.bls.gov/data/inflation_calculator.htm)



# Recommendation

Fee increase of 35% based on personnel costs and CPI

| Application Type                          | Current Fees       | Fees + 35%          |
|---|--------------------|---------------------|
| Admin. Permit                             | \$100 - \$205      | \$135 - \$275       |
| Appeals                                   | \$600              | \$720*              |
| Special Permit                            | \$435 - \$16,375   | \$585 - \$22,105    |
| Special Exception                         | \$4,085 - \$16,375 | \$5,515 - \$22,105  |
| Rezoning (Planned District)<br>+ per acre | \$27,280<br>\$910  | \$36,830<br>\$1,230 |

Note: Fees rounded to the nearest \$5.

\*Note: \$720 for Appeals represents proposed 20% increase.

# Zoning fees by jurisdiction (2023) with and without 35% increase

| Application Type                                      | Fairfax Co.       | Proposed Fairfax Co. (35%) | Loudoun Co.       | Arlington Co.  | Prince William Co. | Montgomery Co.   | Prince George's Co. |
|---|-------------------|----------------------------|-------------------|----------------|--------------------|------------------|---------------------|
| <b>Compliance Letter</b>                              | \$320             | \$430                      | \$485             | \$385          | \$100              | \$490            | \$45                |
| <b>Appeals</b>  | \$600             | \$720*                     | \$350             | \$645          | \$825              | \$220            | \$200               |
| <b>Special Permit</b><br>(Community Pool)             | \$4,085           | \$5,515                    | \$260             | \$2,100        | \$55               | \$1,640          | \$825               |
| <b>Special Permit</b><br>(Home Day Care)              | \$435             | \$585                      | \$350             | \$145          | \$445              | \$490            | \$700               |
| <b>Special Exception</b><br>(Religious Assembly)      | \$1,100           | \$1,485                    | \$5,955           | NA             | \$2,925            | NA               | NA                  |
| <b>Special Exception</b><br>(Vehicle Fueling Station) | \$16,375          | \$22,105                   | \$10,805          | \$9,785        | \$11,695           | \$16,390         | \$5,500             |
| <b>Rezoning (Planned District)</b><br>+ per acre      | \$27,280<br>\$910 | \$36,380<br>\$1,230        | \$35,605<br>\$180 | \$16,790<br>NA | \$15,935<br>\$475  | \$7,800<br>\$700 | \$5,000<br>\$200    |

Note: Fees rounded to the nearest \$5.

\*Note: \$720 for Appeals represents proposed 20% increase.

# Comparison summary of neighboring jurisdictions

| Application Type                                      | Current Fees |                    |                 | Fairfax Co.<br>+ 35% |
|---|--------------|--------------------|-----------------|----------------------|
|   | Fairfax Co.  | High               | Low             |                      |
| <b>Compliance Letter</b>                              | \$320        | \$490<br>(MoCo)    | \$45<br>(PG)    | \$430                |
| <b>Appeals</b>  | \$600        | \$825<br>(PW)      | \$200<br>(PG)   | \$720*               |
| <b>Special Permit</b><br>(Home Day Care)              | \$435        | \$700<br>(PG)      | \$145<br>(ARL)  | \$585                |
| <b>Special Exception</b><br>(Vehicle Fueling Station) | \$16,375     | \$16,390<br>(MoCo) | \$5,500<br>(PG) | \$22,105             |
| <b>Rezoning</b><br>(Planned District)                 | \$27,280     | \$35,605<br>(LoCo) | \$5,000<br>(PG) | \$36,380             |

Note: Fees rounded to the nearest \$5.

\*Note: \$720 for Appeals represents proposed 20% increase.

# Most recent ZOA for Planned District recreation minimum expenditure

## ZO-17-463 (2017)

ZO requires recreational facilities provided in PDH, PDC, PRM, and PTC Districts

- Currently \$1,900 per dwelling
  - Last updated in 2017
- Most facilities provided on-site
  - BOS can approve off-site







## Recommendation

- The spending power of the current \$1,900 expenditure has been reduced given inflation and rising construction costs
- Staff proposes increasing required expenditure to \$2,400 (26% increase)



# Timeline

- 
- **February 2024**  
Meetings with LUPC and LUPR
  - **March 2024**  
General outreach  
Authorization of public hearings
  - **April 2024**  
Planning Commission and Board of Supervisors  
public hearings  
*(delayed effective date of 7/1/24)*



# **Zoning Fees & Planned District Recreational Minimum Expenditure**

Land Use Policy Committee  
February 27, 2024

Tracy Strunk, Department of Planning and Development





# Land Development Services

Fee Schedule (Appendix Q) updates



# APPENDIX Q – LDS Fee Schedule



Appendix to  
Municipal  
Code



Establishes  
LDS & Fire  
Marshal fees  
for Site and  
Building  
processes



Last Broad  
Update  
January 2015

**Appendix Q - Land Development Services Fee Schedule**

This fee schedule establishes the fees charged, by Land Development Services and the Fire Marshal, for building and site development activities pursuant to the authority granted by §§ 15.2-2241(A)(9), 15.2-2286(A)(6), 62.1-44.15:54(J), 36-98.3, 36-105, 62.1-44.15:28(A) and 62.1-44.15:29 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), 112.1 (Zoning Ordinance), and 124 (Stormwater Management Ordinance) of the Code of the County of Fairfax, Virginia (the Code).

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# Why are fees increasing?

Account for inflation  
& salary increases

More fully fund cost  
of services

Align with peer  
jurisdictions

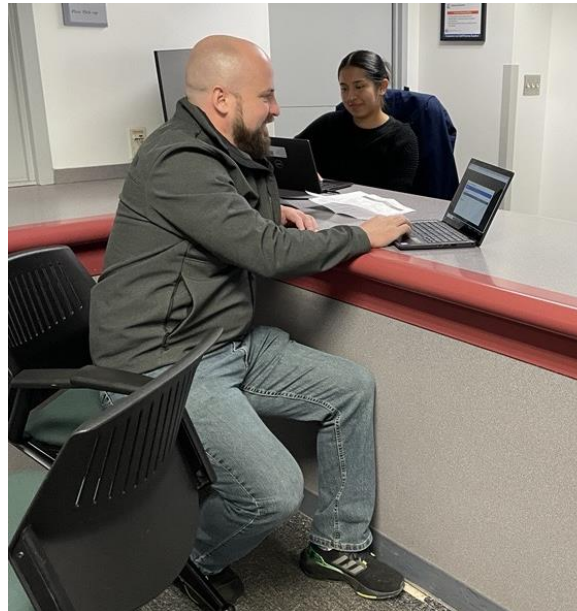
## CPI Inflation Calculator

\$  1.00  
in  2015  
has the same buying power as  
 \$1.32  
in  2023

Calculate



U.S. BUREAU OF LABOR STATISTICS



# Proposed Changes

| Change  | Purpose  |
|---|--|
| 1. Increase technology surcharge fee from 4% to 10%                       | Investment in continuous technology improvements |
| 2. New 2% code academy surcharge on Building fees                         | Comply with State law                            |
| 3. Increase Building fees by 25% (excluding vertical transportation fees) | Adjust for increased staffing and compensation   |
| 4. Increase site fees by 10%  | Adjust for increased staffing and compensation   |

# Proposed Changes

---

| Change   | Purpose  |
|--|--|
| 5. Remove obsolete fees  | Simplify fee schedule  |
| 6. Specify a fee for Pedestrian Bridges                              | Clarity and consistency  |
| 7. Add 2 <sup>nd</sup> tier signature set fee for site-related plans | Provide an affordable alternative to a full resubmission fee, when changes are not extensive |
| 8. Add Minor Revisions fee for site-related plans                    | Provide an affordable alternative to an amendment, when changes are minor                    |

# Impact to projects

| Project                             | Size/Scope                            | Project Cost/Value   | Existing Fees |                 | Proposed Fees |                 |
|-------------------------------------|---------------------------------------|----------------------|---------------|-----------------|---------------|-----------------|
|                                     |                                       |                      | Cost          | % of Cost/Value | Cost          | % of Cost/Value |
| Residential Deck                    | 250 sq. ft.                           | \$5,000 cost         | \$112.32      | 2.2%            | \$151.20      | 3.0%            |
| New Single Family Dwelling (custom) | 8976 sq. ft.                          | \$2.4 million value  | \$4,600.25    | 0.2%            | \$5,818.28    | 0.3%            |
| Townhouse Development               | 41 units (3800 sq. ft. each)          | \$36.9 million value | \$136,169.56  | 0.4%            | \$169,567.16  | 0.5%            |
| Commercial Retail Tenant            | 2600 sq. ft.                          | \$400,000 cost       | \$11,652.68   | 4.7%            | \$15,699.29   | 6.3%            |
| New Commercial Building             | 3 story self-storage, 184,300 sq. ft. | \$2.0 million cost   | \$115,975.24  | 5.8%            | \$141,694.73  | 7.1%            |

# Program Improvements

- **Implementation of PLUS**

- All digital submissions and reviews
- Consolidation of systems
- Readily available metrics

- **Customer Experience Team**

- Customer hold times < 1 minute

- **Fast Track Expansion**

- Previously up to 4500 sq. ft. - now up to 10,000 sq. ft.

- **Site plan review times**

- Reduced from 90 days to 39 days

- **Building Permit log-in times**

- Decreased from 4-7 days to 1-2 days

- **Site record log-in times**

- Decreased from 5-7 days to 1-2 days

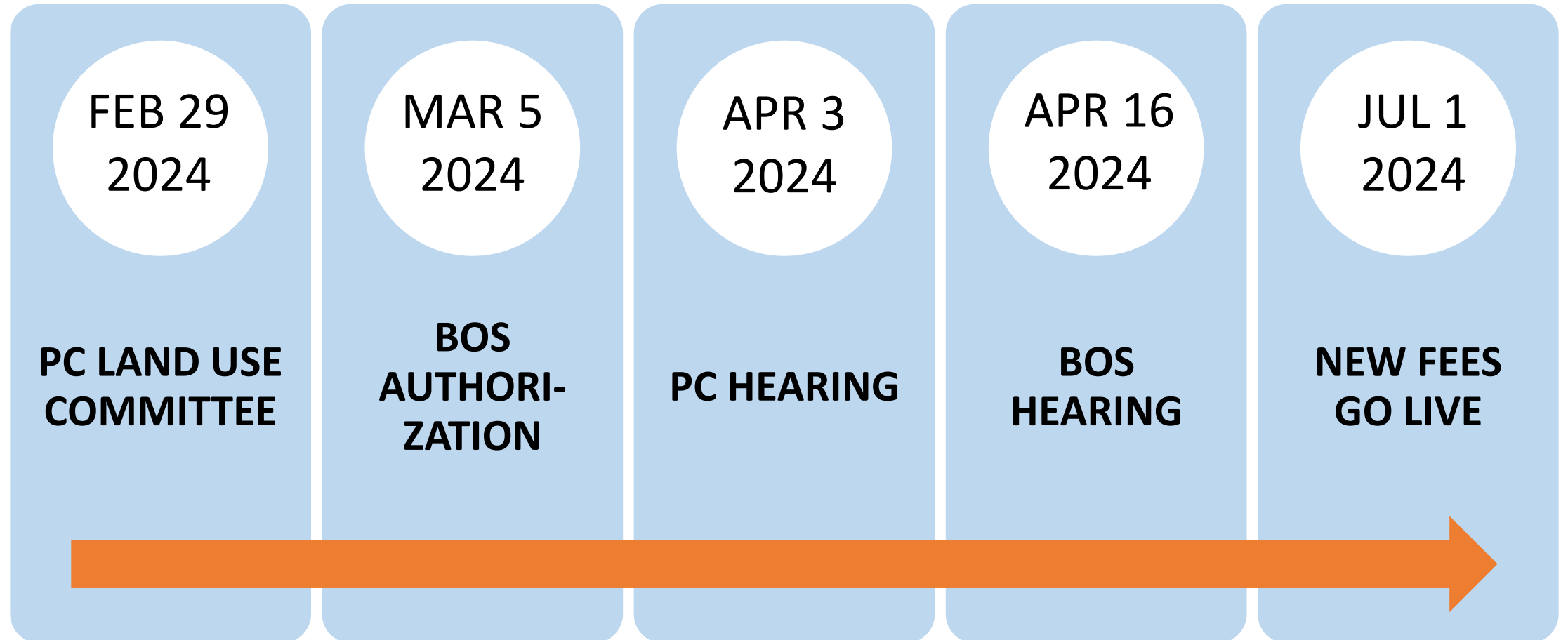
- **Expedited Deck Reviews**

- **New web resources**

- Review metrics
- Permit library
- GIS tools

# Timeline for updating LDS fees

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*Thank you*

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**Bill Hicks, P.E.**  
Director, Land Development Services

