



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date: July 27, 2010

To: Montgomery County Planning Board

From: Rose Krasnow, Chief of Development Review

Subject: Follow-up on Fees for Sketch Plans

On Thursday, July 22, 2010 the Planning Board, after hearing testimony from several parties, agreed to adopt staff's recommendations regarding sketch plan fees but also asked staff to recommend ways in which to reduce the overall burden on developers by:

- 1) Not requiring payment in full when the sketch plan is submitted
- 2) Providing a break in fees for later plans (Preliminary and/or site) that will be required for the same project.

As a reminder, the fees adopted by the Board were as follows:

Commercial and residential:

Base Fees:

Up to 20,000 square feet:	\$ 5,000
Greater than 20,000 square feet:	\$10,000

Plus:

For projects of 0 – 500,000 square feet:	0.20/sf
500,001 – 1,000,000 square feet:	0.25/sf

Fees for projects greater than 1,000,000 square feet would be capped at \$260,000.00.

Staff has since met and is proposing the following sketch plan payment schedule:

- a) 25% of the total fee is due with the initial application.
- b) 25% of the total fee is due when the application is accepted for review.
- c) 50% of the total fee is due within 75 days after the application is accepted for review.

Currently, we accept only 25% of the total fee when an application is brought in for its initial review for completeness. Staff has ten days to provide comments back to the applicant regarding this initial submission. After addressing staff's concerns, the applicant then resubmits with the remaining 75% of the fee. Under the scenario being proposed for sketch plans, we will continue to ask for 25% with the initial submission, 25% when they resubmit, and the remaining 50% balance 75 days later. It was staff's understanding that applicants hoped to be able to spread the

fees over more than one quarter, and this schedule would accomplish that aim. It would also result in the entire fee being received before the date that the staff report has to be posted.

In addition, staff proposes that up to 50% of a preliminary plan's fees (or a site plan's fees if no preliminary plan is required) could be offset by the fees received for a sketch plan. In other words, if an applicant pays fees of \$200,000 for a sketch plan, and the preliminary plan fee would be calculated at \$250,000, the applicant would only be required to pay half of the preliminary plan fee or \$125,000. Total fees received for sketch and preliminary plans would be \$325,000 vs. \$450,000 if no credit had been given. In some instances, the entire sketch plan fee might equal less than half of the total preliminary plan fee, so the entire sketch plan fee would, in effect, be written off.

We also propose that sketch plan fees be credited towards the sum of any concurrently filed preliminary and site plan application fees in an amount equal to the total sketch plan fee but, again, only up to 50% of the sum of the preliminary and site plan application fees. No credit is provided toward a site plan application fee if it is not filed concurrently with a required preliminary plan.

As mentioned at the last hearing, as staff begins processing a number of sketch plans, we will let the Board know if modifications to the fee schedule as proposed seem necessary. Finally, during the discussion last week some of the Board members wanted to know what the components of a sketch plan review would be. In response, staff has developed the attached summary that describes the items that will be required to be submitted for review as part of a sketch plan application.

Attachment

Sketch Plan Submittal Requirements

A. Fee Schedule

1. Determine Density Allowed (example)

Gross Tract Area & Permitted Density Per Zone				
Zone	Gross Tract Area	Maximum Permitted Density		
	Square Feet	Total Square Feet	Non-Residential Square Feet	Residential Square Feet
CR2.0 C1.5 R1.5 H80	60,000	120,000	90,000	90,000
CR2.0 C1.0 R2.0 H60	30,000	60,000	30,000	60,000
Sum	90,000	180,000	120,000	150,000

2. Determine Density Requested (example)

Maximum Density Requested		
Total Square Feet	Non-Residential Square Feet (up to)	Residential Square Feet (up to)
180,000	70,000	140,000

3. Determine Base Fee

- a. Gross tract area sum up to 20,000sf = \$ 5,000
 b. Gross tract area sum over 20,000sf = \$10,000

4. Determine Square Foot Fee

- a. Total square feet of density requested up to 500,000sf = \$0.20/sf
 b. Total square feet of density requested over 500,000sf = \$0.25/sf

5. Sketch plan fees are capped at a maximum of \$260,000.

6. Payment Schedule

- a. 25% of the total fee is due with the initial application.
 b. 25% of the total fee is due when the application is accepted for review.
 c. 50% of the total fee is due within 75 days after the application is accepted for review.

7. Payment Worksheet (example)

Fee Calculation Worksheet			
Factor	Quantity	Rate	Base Fee
Gross Tract Sum	90,000sf	N/A	\$10,000
Total Density	180,000sf	\$0.20	\$45,000
Total Fee			\$55,000
	Initial Payment	25%	\$13,750
	Second Payment	25%	\$13,750
	Final Payment	50%	\$27,500

8. Payment Credits

- a. Sketch plan application fees are credited towards any preliminary plan application fee (or site plan fee if no preliminary plan is required) in an amount equal to the total sketch

- b. plan fee up to 50% of the preliminary plan application fee (or site plan fee if no preliminary plan is required).
- c. Sketch plan application fees are credited towards the sum of any concurrently filed preliminary and site plan application fees in an amount equal to the total sketch plan fee up to 50% of the sum of the preliminary and site plan application fees.
- d. No credit is provided toward a site plan application fee if it is not filed concurrently with a required preliminary plan application under b. above.

B. Application Form

- 1. Department Intake Info
 - a. Date of Initial Application
 - b. Date of Accepted Application
 - c. Planning Board Date
 - d. DRC Date
 - e. Fee
 - f. Lead Reviewer
- 2. Project Identification
 - a. File Number 320#####
 - b. Project Name
 - c. Gross Tract Area(s) (square feet)
 - d. Zone(s)
- 3. Site Identification
 - a. 200 scale base map #(s)
 - b. Tax map #(s)
 - c. Property Tax Account #(s)
 - d. Subdivision (lot/block/parcel) Information
 - e. Location
 - i. Address,
 - ii. Intersection quadrant, or
 - iii. Street name and distance/direction from closest intersection
- 4. Project Team
 - a. Applicant
 - b. Owner
 - c. Landscape Architect
 - d. Architect
 - e. Engineer
 - f. Attorney
 - g. Other Team Member(s)
- 5. Data Summary Table
 - a. Tract Area

- i. Gross Tract
 - ii. Dedications
 - iii. Net Tract
 - b. Zone(s)
 - i. Zone 1 _____ Acres _____ SF _____
 - ii. Zone 2 _____ Acres _____ SF _____
 - iii. Zone 3 _____ Acres _____ SF _____
 - c. Density
 - i. Non-Residential: permitted _____ proposed (up to) _____
 - ii. Residential: permitted _____ proposed (up to) _____
 - iii. Total: permitted _____ proposed (up to) _____
 - d. Height
 - i. Zone 1 _____ proposed (up to) _____
 - ii. Zone 2 _____ proposed (up to) _____
 - iii. Zone 3 _____ proposed (up to) _____
 - e. Parking Spaces
 - i. Non-Residential: min _____ max _____
 - ii. Residential: min _____ max _____
 - iii. Total: min _____ max _____
 - iv. Parking Lot District?
 - f. Public Use Space
 - i. Required %
 - ii. Proposed %
- 6. Supplementary Information
 - a. NRI/FSD
 - b. Previously Approved Sketch Plan
 - c. Previously approved plans that impact application (e.g., those with approved development standards, uses, etc that may be grandfathered)
 - d. Record Plat(s)
 - e. SPA?
 - f. Locational Atlas and Index of Historic Sites?
 - g. Master Plan for Historic Preservation?
 - h. Incorporated Municipality?
 - i. Other legal restrictions on property
- 7. Acknowledgement and Signature

C. Checklist of Drawings and Supplemental Information

1. General Information
 - a. Application Form and Checklist
 - b. Fee Schedule and Worksheet
 - c. Narrative Description
 - i. Existing Site Conditions
 - ii. Adjacent Uses
 - iii. Local Transit/Recreational/Cultural Features
 - iv. Project Description
 1. Maximum Densities & Heights
 2. Projected Uses
 3. General Massing and Open Space Pattern
 4. General Circulation Patterns
 5. Projected Environmental Provisions (especially ESD concept)
 6. Proposed Public Benefits
 - d. Justification Statement Addressing Required Findings
 - i. Requirements and standards of zone will be met
 - ii. Master plan objectives will be met
 - iii. Project is more efficient and effective than standard method development
 - iv. Massing, height, and open space will be located to achieve compatible relationships within and adjacent to site
 - v. General access, circulation, parking, and loading will be ASE
 - vi. Public benefits and associated density will further objectives of master plan
 - vii. Phasing is feasible and appropriate
 - e. List of potential special exception uses or waivers of code requirements necessary during preliminary/site plan review
 - f. Certificate of compliance
2. Outreach Information
 - a. Notice List
 - b. Copy of Dated Application Notice Letter
 - c. Pre-Submittal Information
 - d. Site Posting Information
3. Supporting Information
 - a. NRI/FSD
 - b. Local Vicinity Map
 - i. 1"=200' showing area within 1,000 feet of site
 - ii. Topography at 5-foot intervals
 - iii. Existing buildings and structures

- iv. Transit/recreational/cultural features
 - v. Streets, roads, alleys, parking lots (include medians and curb cuts)
 - vi. Master-planned rights-of-way and easements/reservations
 - vii. Adjacent Zoning
 - c. Existing Site Conditions Map
 - i. Structures
 - ii. Roads, Alleys, Parking Areas, Sidewalks, Trails, Etc
 - iii. Utilities
 - iv. Vegetation
 - v. Wetlands, Streams, Etc
 - vi. Topography and Soils
 - vii. Key Features
- 4. Application Proposal
 - a. Sketch Plan (in one or more sheets depending on complexity)
 - i. Massing Envelopes
 - ii. Open Space System
 - iii. Circulation Patterns (including road/trail/path classifications)
 - iv. Projected Access/Loading Points
 - v. Data Table (see B.5.)
 - b. Each drawing must have
 - i. Graphic Scale (scale may vary from 1"=30' to 1"=200')
 - ii. North Arrow
 - iii. Developer's Certification
 - iv. Professional Stamp & Seal
 - v. Applicable Keys/Legends/Notes
 - vi. Sheets must be a minimum of 11"x17"
 - c. Public Benefit Table
 - i. Proposed Public Benefits
 - ii. Criteria Met/Proposed
 - iii. % Incentive Density Requested
 - iv. Narrative Discussion of Commitments to Criteria and Phasing
 - d. Phasing Schedule
 - i. Infrastructure
 - ii. Buildings (and associated density)
 - iii. Open Space
 - iv. Public Benefits