



**MONTGOMERY COUNTY PLANNING BOARD**  
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**DEC 29 2015**

MCPB No. 15-155

Changes to Fees for:

1. Sketch Plans Submitted Concurrently With Preliminary and Site Plan Amendments,
2. Site Plan Amendments,
3. Plats, and
4. Exemptions from Submitting Forest Conservation Plans

Date of Hearing: December 10, 2015

**RESOLUTION**

WHEREAS, under Section 50-34(b) of the Montgomery County Code, the Montgomery County Planning Board must set application and processing fees for preliminary plans of subdivision and record plats; and

WHEREAS, Section 59-7.3.3.B of the Montgomery County Code authorizes the Montgomery County Planning Board to set application and processing fees for sketch plans; and

WHEREAS, Section 59-7-3.4.B of the Montgomery County Code authorizes the Montgomery County Planning Director to collect application and processing fees for site plans; and

WHEREAS, under Section 22-26(d) of the Montgomery County Code, the Montgomery County Planning Board must set fees to at least partially cover the costs to administer the Forest Conservation Law; and

WHEREAS, following review and analysis of current fee structures and The United States Bureau of Labor Statistics indicators by the Planning staff ("Staff"), Staff issued a memorandum to the Planning Board, dated December 2, 2015, setting forth its analysis, and recommendation for approval of changes to the application and processing fees for sketch plans submitted currently with preliminary and site plan amendments, record plats, administrative site plan amendments, and exemptions from submitting forest conservation plans ("Staff Report"); and

WHEREAS, on December 10, 2015, the Planning Board held a public hearing on the Staff analysis and recommendation, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the proposed fee changes; and

Approved as to  
 Legal Sufficiency:

*[Handwritten Signature]* 12/19/15

WHEREAS, on December 10, 2015, the Planning Board approved the revisions to the application and processing fees for: i) new sketch plans submitted concurrently with a preliminary plan of subdivision amendment and site plan amendment, ii) record plats; iii) administrative site plan amendments; and iv) exemptions from submitting forest conservation plans, all as set forth in the Staff Report, on motion of Commissioner Wells-Harley, seconded by Commissioner Presley, with a vote of 4-0; Commissioners Anderson, Fani-Gonzalez, Presley, and Wells-Harley voting in favor. Commissioner Dreyfuss was absent from the hearing.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board approves the following fee changes, all to be effective beginning February 1, 2016:

1. Applicants that submit a new sketch plan concurrently with amendments to their previously approved preliminary plan of subdivision and site plans, in order to take advantage of CR zoning that was applied to their property after those approvals, will receive a credit of fifty percent (50%) of the sketch plan fee to offset the application fees for the preliminary and site plan amendments.
2. The application fee for record plats will be \$2,000.
3. There will be no application fee for an exemption from submitting a forest conservation plan under Sections 22A-5(k), (s), or (t) of the County Code when i) the application is submitted concurrently with a preliminary or site plan amendment, and ii) the activity does not include any land disturbance.
4. The application fee for all other requests for an exemption from submitting a forest conservation plan will be \$200.
5. The application fee for all administrative site plan amendments will be \$2,500.
6. Only the following uses qualify for the "Institutional" application fee schedule: dormitories; residential care facilities (any size); private ambulances or rescue; charitable philanthropic institutions; cultural institutions; family day care; group day care; day care centers; private educational institutions; private outdoor playground areas; publicly owned or operated swimming pools; and private club, service organizations.

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference, and upon consideration of the entire record, the Montgomery County Planning Board FINDS, that:

*The changes to the way sketch plan fees are applied to concurrently submitted preliminary plans of subdivision amendments and site plan amendments, administrative site plan amendments, and record plats under 59-7.3.3.B, 59-7.3.4.B, and 50-34(b); and changes to the fees applied to exemptions from submitting forest conservation plans under 22A-26(d) satisfies all the applicable requirements of law.*

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Planning Board in this matter, and the date of this Resolution is DEC 29 2015 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decision in Circuit Court (Rule 7-203, Maryland Rules).

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**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Vice Chair Wells-Harley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss, Presley, and Fani-González voting in favor at its regular meeting held on Thursday, December 17, 2015, in Silver Spring, Maryland.

  
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Casey Anderson, Chair  
Montgomery County Planning Board