



FEB 2 2012

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

MCPB No. 12-05  
Revisions to the Regulatory Application Fee Schedule  
Date of Hearing: January 12, 2012

**MONTGOMERY COUNTY PLANNING BOARD**

**RESOLUTION**

WHEREAS, pursuant to Montgomery County Code 50—34(b), the Montgomery County Planning Board (“Planning Board” or “Board”) is vested with the authority to establish fees for processing and review of preliminary plan of subdivision plan applications; and

WHEREAS, pursuant to the Section 3.D of the Manual of Development Review Procedures (“Development Review Manual”), the Planning Board is vested with the authority to establish fees for processing and review of each application for development plans submitted to the Planning Department;

WHEREAS, following review and analysis of certain application fees by the Planning Board staff (“Staff”), Staff issued a memorandum to the Planning Board, dated December 1, 2011 setting forth its analysis, and recommendation for approval of proposed changes to the fee structure for project plans and other development plans submitted concurrently with project plans (“Staff Report”); and

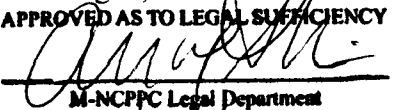
WHEREAS, the Planning Board held a public hearing on the Staff analysis and recommendation (the “Hearing”) on January 12, 2012; and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the proposed fee change; and

WHEREAS, on January 12, 2012, the Planning Board approved the revisions to the application fee schedule as set forth in the Staff Report on motion by Commissioner Anderson, seconded by Commissioner Presley, with a vote of 5-0; Commissioners Anderson, Carrier, Dreyfuss, Wells-Harley, and Presley voting in favor.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of the Montgomery County Code Chapter 50-34(b) and Section 3.D of the Development Review Manual, the Planning Board approves the following changes to the Regulatory Application Fee Schedule:

1. Calculation of the fee for project plan applications shall remain unchanged, except that such fee will be no greater than \$260,000.

APPROVED AS TO LEGAL SUFFICIENCY  
  
M-NCPPC Legal Department

2. If a preliminary plan and/or site plan (“Other Plan”) is submitted concurrently with a project plan, Staff may waive up to half of the fees due for the Other Plan, not to exceed the project plan fee.

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, with the conditions of approval, that:

*The proposal to change the fee schedule for project plans and preliminary plans and/or site plans submitted concurrently with project plans satisfies all the applicable requirements of the Montgomery County Code 50—34(b), and Section 3.D of the Manual of Development Review Procedures.*

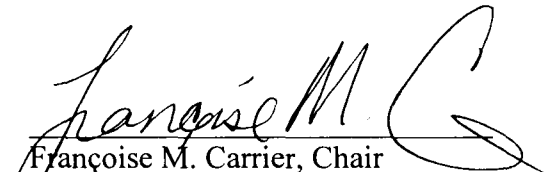
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Planning Board in this matter, and the date of this Resolution is FEB 2 2012 (which is the date that this Resolution is mailed to all parties of record); and

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 Vice Chair Wells-Harley, seconded by Commissioner Dreyfuss, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor of the motion, at its regular meeting held on Thursday, January 26, 2012, in Silver Spring, Maryland.

  
Françoise M. Carrier, Chair  
Montgomery County Planning Board