



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

MCPB No. 17-003
 Fees for Administrative Subdivisions
 Date of Hearing: January 26, 2017

JAN 27 2017

RESOLUTION

WHEREAS, Section 50-34(b) of the Montgomery County code authorizes the Montgomery County Planning Board, by resolution, to set application and processing fees for preliminary plans of subdivision and record plats; and

WHEREAS, Section 50.10.5 of the Montgomery County Code, which becomes effective on February 13, 2017, authorizes the Montgomery County Planning Board, by resolution, to set fees necessary to cover the cost of administer the subdivision regulations.

WHEREAS, following review and analysis of current fee structures, the Planning Board staff (“Staff”) issued a memorandum to the Planning Board, dated January 17, 2017 setting forth its analysis, and recommendation for approval of changes to the application fees for Administrative Subdivisions; (“Staff Report”); and


WHEREAS, on January 26, 2017, 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

WHEREAS, at the hearing, the Planning Board voted to approve the revisions to the application and processing fees for: i) administrative subdivision plans and ii) re-adopt the existing application and processing fees for preliminary plans of subdivisions, record plats, preliminary plan amendments, approved plan extensions, and subdivision waiver requests as set forth in the Staff Report in accordance with the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board approves the following fee changes:

1. Effective February 13, 2017, establish an Administrative Subdivision Plan fee of:
 - a. \$3,310.00 for existing places of worship and institutional uses
 - b. \$2,500.00 for the creation of up to 5 lots in the AR zone or 3 lots in any residential zone
 - c. \$4,000.00 for consolidation of existing lots or parts of lots in a nonresidential zone.

Approved as to
 Legal Sufficiency

 1/23/17
 M-NCPPC Legal Department

2. Continue the fees identified in the February 1, 2016 Fee Schedule and Worksheet for Pre-Application Submissions, Preliminary Plan of Subdivisions, Record Plats, Amendments to approved Preliminary Plans, approved Plan Extensions, and Subdivision Waiver Requests.

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 application and processing fees are applied to Administrative Subdivision plans, Preliminary Plans of Subdivisions, Amendments to Preliminary Plans of Subdivisions, Pre-Application Submissions, Record Plats, Approved Plan Extensions, Subdivision Waiver Requests under section 50-34(b) and section 50.10.5 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 JAN 27 2017 (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 Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss, Fani-González, and Cichy voting in favor at its regular meeting held on Thursday, January 26, 2017, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board