



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

MCPB No. 18-075  
Regulatory Application Refunds and Fees  
Date of Hearing: June 28, 2018

JUL 25 2018

**RESOLUTION**

WHEREAS, Section 50.10.5 of the Montgomery County Code authorizes the Montgomery County Planning Board, by resolution, to set fees necessary to cover the cost of administering Chapter 50 of the Montgomery County Code, titled "Subdivision of Land"; and

WHEREAS, Section 59.7.6.5.A.2 of the Montgomery County Code authorizes the Montgomery County Planning Board, by resolution, to set fee necessary to cover the cost of administering certain portions of Chapter 59 of the Montgomery County Code, titled the "Montgomery County Zoning Ordinance"; and

WHEREAS, Section 22A-26(d) of the Montgomery County Code authorizes the Montgomery County Planning Board to set fees necessary to cover the cost of administering Chapter 22A of the Montgomery County Code, titled "Forest Conservation"; and

WHEREAS, following review and analysis of current fee structures, the Planning Board staff ("Staff") issued a memorandum to the Planning Board dated June 17, 2018, setting forth its analysis and recommendation for approval of a refund policy for regulatory applications and a limited delegation of authority to the Planning Director to modify application fees; ("Staff Report"); and

WHEREAS, on June 28, 2018, 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; and

WHEREAS, at the hearing, the Planning Board voted to approve: i) the refund policy as proposed by Staff and ii) a limited delegation of authority to the Planning Director to modify certain application fees, on the motion of Commissioner Cichy, seconded by Commissioner Fani-Gonzalez, with a vote of 5-0; Commissioners Anderson, Cichy, Dreyfuss, Fani-Gonzalez, and Patterson voting in favor.

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Approved as to  
Legal Sufficiency:

JUL 25 2018

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves the refund policy as attached to the Staff Report; and

BE IT FURTHER RESOLVED that the Planning Board approves a delegation of authority to the Planning Director to modify application fees for:

1. Development applications that include 25% or more moderately priced dwelling units (MPDUs) as part of the overall project density.
2. Development applications that include significant public benefits over and above the requirements established by law, if the applicant has provided adequate justification as determined by the Planning Director.

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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 Fani-González, seconded by Commissioner Cichy, with Chair Anderson and Commissioners Fani-González, Cichy, and Patterson voting in favor, and Vice Chair Dreyfuss absent at its regular meeting held on Thursday, July 19, 2018, in Silver Spring, Maryland.



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Casey Anderson, Chair  
Montgomery County Planning Board