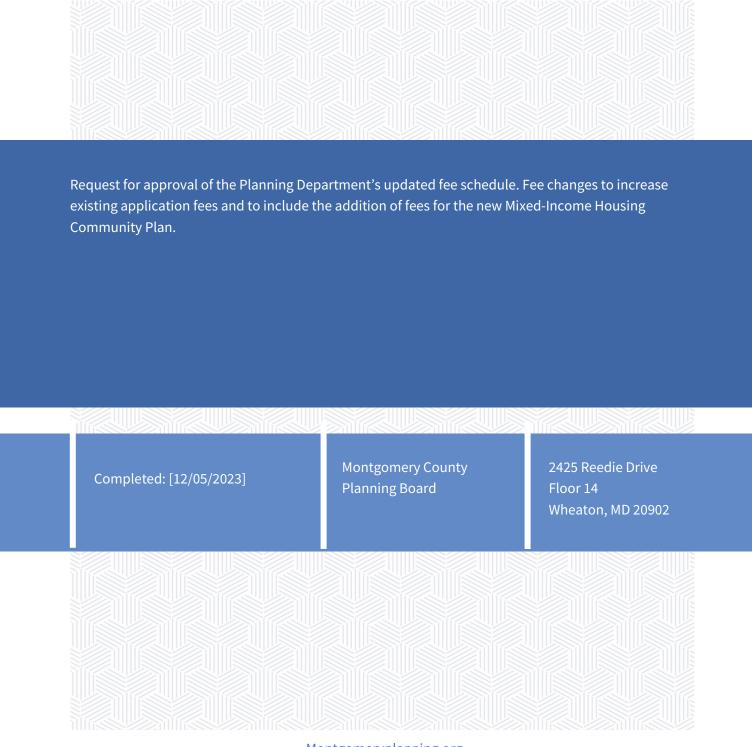
™ Montgomery Planning

MIXED-INCOME HOUSING COMMUNITY PLAN FEES AND FEE SCHEDULE INCREASES



Montgomeryplanning.org

Mixed-Income Housing Community Plan Fee and Fee Schedule Increases

Planning Staff

A.B.

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CS

Summary:

- Staff is requesting the Planning Boards approval of fees for a new Application type, the Mixed-Use Housing Community Plan created in response to the County Council's approval of Zoning Text Amendment No. 23-02.
- Staff is requesting the Planning Board's approval of a 6% increase across the board for all fees on our Fee Schedule Worksheet based on the change in the Consumer Price Index between April 2022 and October 2023.
- Staff is requesting the Planning Board's approval of an Amendment fee for BioHealth Priority Campus Plans and the inclusion of Signature Business Headquarters Plans in the fee structure established for BioHealth Priority Campus Plans.

BACKGROUND

Application fees are set by various Planning legislative actions.

Section 50.10.5 of the Montgomery County Code – Subdivision Regulations - Establishment of Fees states: "The Board must approve by resolution the fees necessary to cover the costs of administering this Chapter."

Section 59.7.6.5.A.2 of the Montgomery County Zoning Ordinance states: "Where the Planning Board is the deciding body, fees to cover the cost of administering this Chapter must be approved by resolution of the Planning Board."

Chapter 22A, Article IV. Administration, Section 22A-26. (d) of the Montgomery County Code states: "The Planning Board must charge a fee to cover at least partially the costs of administering this Chapter, including review of submittals and field inspections. The fee schedule must be set by the Planning Board as part of the development application process. Different fees may be set based on the size of the tract or other relevant factors."

DISCUSSION

1.) Staff is requesting Planning Board approval of fees for a new Application type, the Mixed-Use Housing Community Plan created in response to the County Council's approval of Zoning Text Amendment No. 23-02. The Mixed-Income Housing Community Plan replaces the need for submitting a concurrent Sketch Plan and Site Plan for applicable projects. An Administrative Subdivision Plan Application may be required for some Mixed-Income Housing Community Plan projects, but that process, and fees are separate.

Staff arrived at these proposed fees by examining the current fee structure and generally calculating the fee a project would currently incur for both a Sketch Plan and Site Plan. Once an average fee was determined, the fee was reduced by approximately 30% to reflect an automatic fee reduction due to the provision of affordable housing. This new application type will ensure affordable housing units for the Area Median Income (AMI) and Low-Income Housing Tax Credits (LIHTC). It is also important to note that this new plan is undergoing an exceptionally expedited review and the project will receive its approvals much quicker. Due to the already reduced fees, if approved, this new fee type would not be eligible for further fee reductions.

<u>Proposed Fees for a New Application Type:</u>

"Mixed-Income Housing Community Plan"

Mixed-Income Housing Community Plan:

Residential (DU's = Dwelling Units)

\$3,200.00 + \$210.00 per DU

of DU's _____ x \$210.00 = \$____

Non-Residential

1 – 9,999 SF \$3,700.00 + .15 per SF

10,000 - 24,999 SF \$4,775.00 + .15 per SF

25,000 SF or More \$5,850.00 + .15 per SF

of SF _____x 0.15 = \$

Amendments:

Residential with no additional DU's \$3,200.00

Residential Amendment additional DU's \$3,200.00 + \$210.00 per additional DU

Non-Residential with no additional SF \$3,700.00

Non-Residential with Additional SF Base Fee based upon additional square footage +

.15 per SF for additional square footage

A Few Additions to the Existing Fee Schedule Worksheet:

- Under Administrative Subdivision Plans:
 - **1.** We will re-word the BioHealth Campus to now read:

BioHealth Priority Campus Plan or Mixed-Income Housing Community Plan \$4,250.00

- 2. We are adding "Signature Business Headquarters" \$4,250.00
- Under **BioHealth Priority Campus Plans**, we will be adding Amendment Fees:

 Amendment with no additional SF
 \$10,600.00

 Amendment for 1 - 49,999 SF
 \$10,600.00

 Amendment for 50,000 SF or More
 \$53,000.00

Note: The Mixed-Income Housing Community Plan fees will not qualify for a "Fee Reduction Request" because the noted fees have already been reduced in comparison to a concurrent Sketch Plan and Site Plan Review submission.

- 2.) Staff is requesting the Planning Board's approval of a 6% increase across the board for all fees on our Fee Schedule Worksheet based on the change in the Consumer Price Index between April 2022 and October 2023. Staff last updated the fees based upon the Consumer Price Index in April 2022 and will bring new fees to the Planning Board for approval approximately every 2 years.
- 3.) Staff is also requesting approval for a new amendment fee for BioHealth Priority Campus Plans and including Signature Business Headquarters to the existing BioHealth Priority Campus Plan fees. As Staff underwent the review for the new Mixed-Income Housing Community Plan, Staff realized the amendment fee and the Signature Business Headquarters fees were not previously established and are also needed.

CONCLUSION

In conclusion, Staff recommends that the Planning Board 1) adopt the establish fees for Mixed-Income Housing Community Plan, 2) Approve the 6% fee increases for all application fees on our Fee Schedule Worksheet, and 3) Approve the new BioHealth Priority Campus Plan Amendment fees and the inclusion of the use of the currently existing BioHealth Priority Campus Plan fees for Signature Business Headquarters Plans.

All fees will become effective: January 1, 2024 for any plan that has not been accepted by December 31, 2023.

Attachment A: Existing Fee Schedule Worksheet

<u>Attachment B</u>: New Proposed Fee Schedule Worksheet with the 6% increase

ATTACHMENT A

Maryland-National Capital Park and Planning Commission

2425 Reedie Drive

Wheaton, Maryland 20902

www.montgomeryplanning.org

Clear Form

Phone: 301.495.4550 Fax: 301.495.1306

Effective: April 1, 2022

FEE SCHEDULE AND WORKSHEET

Application Number: M-NCPPC Staff Use Only				
A P	To be comple	eted by the Applicant		
Applicant:				
Project Name:				
Pre-Application Sub	omission (check applicable boxes)			
☐ Staff Review Only		\$2,000.0	00	\$
☐ Staff and Planning	Board Review	\$4,000.0	00	\$
NDI/ESD Notural Ba	nourons Inventory/Forest Stand I	Dalinastian (shock applicable b	ovoo)	
	sources Inventory/Forest Stand I		oxes)	
☐ NRI/FSD		\$810.00		\$
☐ NRI/FSD Amendm	ent	\$450.00		\$
☐ NRI/FSD Recertific	cation Request	\$450.00		\$
☐ Forest Conservation Exemption Request or Recertificat		ation \$250.00		\$
☐ Forest Conservation Bank review		\$1,000.0	00	\$
Forcet Consorvation	<u>n Plan</u> (check applicable boxes)			
	TT lan (check applicable boxes)			
☐ Single Family Residential	\$550.00 + \$200.00 per lot	# of lotsx \$200 = \$_		\$
☐ All Others	\$1050.00 + \$290.00 per acre	# of acresx \$290 = \$		\$
			·	
☐ FCP Amendment v	without Planning Board Hearing	\$750.00		\$
☐ FCP Amendment v	with Planning Board Hearing	\$1,500.0	00	\$
☐ Fence installation	within a conservation easement rec	quest \$135.00		\$
			Total This Page	\$0.00

\$0.00

Total This Page

Administrative Subdivision Plan (check applicable boxes) ☐ Existing Place of Worship or Institutional Use* \$3,500.00 \$ Up to 5 Lots in the AR Zone or Up to 3 Lots in Any Residential Zone \$2,500.00 ☐ Consolidation of Existing Lots or Parts of Lots in a Nonresidential Zone \$4,000.00 \$ ☐ BioHealth Priority Campus Plan \$ \$4,000.00 ☐ SPA within plan \$750.00 \$ **Preliminary Plan of Subdivision** (check applicable boxes) Residential (DUs=Dwelling Units) ☐ Residential # of DUs (1 to 100) _____ \$365 = \$ + ☐ 1 to 100 DUs \$2,750.00 + \$365.00 per DU \$ # of DUs (over 100) ☐ DUs over 100 \$100.00 per DU \$100 = \$☐ 1 to 9 DUs \$380.00 ☐ 10 to 50 DUs \$750.00 \$ # of DUs > 50 _____ more than 50 DUs \$750.00 + \$20.00 per DU over 50 Commercial/Industrial (SF=Square Feet) ☐ Commercial ☐ 1 to 9,999 SF \$4,500.00 + .15 per SF # of SF **■**\$0.15 = \$ ☐ 10,000 to 24,999SF \$5,500.00 + .15 per SF ☐ 25,000 SF or more \$6,500.00 + .15 per SF \$750.00 ☐ SPA within plan Other □ New Institutional/Religious* \$3,500.00 ☐ SPA within plan \$750.00 **Preliminary Plan Amendments** Same as Preliminary Plan (enter with SPA fee) \$0.00 ☐ Major Amendment \$2,750.00 ☐ Minor Amendment APF Review Not Associated with Another \$2,750.0 _o Plan (50.4.3.J) ☐ Subdivision Regulation Waiver (50.9) # of waivers \$ \$2,500.00 per waiver

Site Plan (check applicable boxes)

	Residential (DUs = Dwelling Units)		
☐ Residential		# of DUs	
1 to 9 DUs	\$4,500.00 + \$165.00 per DU	# of DUsx \$165 = \$	\$
☐ 10 or more DUs	\$6,000.00 + \$165.00 per DU	■	
☐ SPA within plan			
☐ 1 to 9 DUs	\$380.00		
☐ 10 to 50 DUs	\$750.00		\$
☐ more than 50 DUs	\$750.00 + \$20.00 per DU over 50	# of DUs > 50x	
		\$20 = \$	
	Commercial/Industrial (SF=Square Feet)	·	
☐ Commercial		# of CE	
☐ 1 to 9,999 SF	\$4,500.00 + .15 per SF	# of SFx \$0.15 = \$	\$
☐ 10,000 or more SF	\$6,000.00 + .15 per SF	Ψ	
SPA within plan	\$750.00		\$
	<u>Other</u>		
☐ Institutional/Religious*	\$3,500.00		\$
SPA within plan	\$750.00		\$
Site Plan Amendments			
☐ Major Amendment	Same as Site Plan		\$0.00
☐ Minor Amendment	\$2,750.00		\$
SPA within Amend.	\$750.00		\$
Record Plats	#0.000.00	N	Φ.
(including minor subdivision)	\$3,000.00	Number of Plats:	\$
<u></u>		LJ	
		Total This Page	\$0.00

(SPA=Special Protection Area)

^{*}Note: 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.

Sketch Plan (check applicable boxes)			
Commercial/Residential Base Fee			
☐ Up to 20,000 square feet	\$5,000.00		\$
☐ Greater than 20,000 square feet	\$10,000.00		\$
Additional per SF fee			
☐ Projects 0 – 500,000 square feet (SF)		# of SFx \$0.20 = \$	\$
☐ Projects 500,001 – 1,000,000 square fe	eet (SF)	# of SFx \$0.25 = \$	\$
☐ Major Amendment*	Same as Sketch Pla	an (enter above)	
☐ Minor Amendment**	\$5,000		\$
$\underline{\text{Total Sketch Plan Fee}} \text{ (sum of the above,}$	or Max. of \$260,000.00, v	vhichever is less)	\$ 0.00
 *Major Amendment – Any request to i ** Minor Amendment – Any request to height 	• •	proval" or "Binding Element" that does not a	affect density or
Project Plan Amendment (check applica	ble boxes)		
☐ Residential (DUs)	\$4,500.00 + \$75.00 per DU	# of DUsx \$75 = \$	\$
☐ Commercial (GFA)	\$4,500.00 + \$0.15 per SF	# of SFx \$.15 = \$	\$
☐ Extensions	\$2,310.00		\$
Total Project Plan Fee (sum of the above,	or \$260,000.00, whicheve	er is less)	\$ 0.00
Staging Allocation Request (SAR) (chec	ck applicable boxes		
☐ Residential (DUs)	# of [\$)Usx \$1.00 =	\$
☐ Non-Residential (Square Feet)	# of S \$	SFx \$0.01 =	\$
☐ Projects Not Requiring a Sketch Plan	Resid	lential & Non-Residential \$500.00	\$
Total SAR Fee (sum of the above)			\$ 0.00
			1
		Total This Pag	e \$ 0.00

BioHealth Priority Campus Plan (check a	pplicable boxes)	
☐ 50,000-149,999 sq ft	\$100,000	\$
☐ 150,000-399,999 sq ft	\$200,000	\$
☐ 400,000 sq ft and above	\$300,000	\$
☐ 10% Deduction for projects in Opportunit	y Zones	<\$ >
Credit for Concurrently Filed Plans Credit for Preliminary and Site Plans filed concurrently after the approval of a Sketch Plan Credit for Preliminary and Site Plan Amendments filed concurrently with a new Sketch Plan in order to take advantage of CR zoning that was applied to the property after the previous Preliminary and Site Plans were approved	A. Sketch Plan Fee \$	\$ >
	Total This Page	\$ 0.00
	Total Fee	\$ 0.00
Date Received Check No. Received by	Contact us at the phone num of the form if your application paid in installments.	

Effective: XXXX

Maryland-National Capital Park and Planning Commission

2425 Reedie Drive

Wheaton, Maryland 20902 www.montgomeryplanning

Phone: 301.495.4550 www.montgomeryplanning.org Fax: 301.495.1306

FEE SCHEDULE AND WORKSHEET

To be completed	by the Applicant	
Applicant:		
Project Name:		
Pre-Application Submission (check applicable boxes)		
☐ Staff Review Only	\$2,120.00	\$
☐ Staff and Planning Board Review	\$4,240.00	\$
		L

NRI/FSD Natural Resources Inventory/Forest Stand Delineation (check applicable boxes)

□ NRI/FSD	\$860.00	\$
□ NRI/FSD Amendment	\$480.00	\$
□ NRI/FSD Recertification Request	\$480.00	\$
☐ Forest Conservation Exemption Request or Recertification	\$265.00	\$
☐ Forest Conservation Bank review	\$1,060.00	\$

Forest Conservation Plan (check applicable boxes)

☐ Single Family Residential	\$580.00 + \$210.00 per lot	# of lots	x \$210 = \$	\$
☐ All Others	\$1,110.00 + \$310.00 per acre	# of acres	_x \$310 = \$	\$
			·	
☐ FCP Amendment without Planning Board Hearing			\$800.00	\$
☐ FCP Amendment with Planning Board Hearing			\$1,600.00	\$
☐ Fence installation within a conservation easement reque		uest	\$145.00	\$

Total This Page

Administrative Subdivision Plan (check applicable boxes)

☐ Existing Place of Worship or Institutional Use*	\$3,700.00	\$
☐ Up to 5 Lots in the AR Zone or Up to 3 Lots in Any Residential Zone	\$2,650.00	\$
☐ Consolidation of Existing Lots or Parts of Lots in a Nonresidential Zone	\$4,250.00	\$
☐ BioHealth Priority Campus or Mixed Income Housing Community	\$4,250.00	\$
☐ Signature Business Headquarters	\$4,250.00	\$
☐ SPA within plan (SPA=Special Protection Area)	\$800.00	\$

<u>Preliminary Plan of Subdivision</u> (check applicable boxes)

	Residential (DUs	s=Dwelling Units)				
☐ Residential			# of DUs	(1 to 100)x		
☐ 1 to 100 DUs	\$2,915.00 + \$38	5.00 per DU	!	+		\$
☐ DUs over 100	\$10	5.00 per DU		(over 100)x \$		
☐ SPA within plan					1	
☐ 1 to 9 DUs	\$400.00					
☐ 10 to 50 DUs	\$800.00				ļ	\$
☐ more than 50 DUs	\$800.00 + \$20.0	0 per DU over 50		> 50x		
	Commercial/Indu	ıstrial (SF=Square				
☐ Commercial			= = -			
☐ 1 to 9,999 SF	\$4,775.00 + .15	per SF	■ # of SF _	x		•
□ 10,000 to 24,999SF	\$5,850.00 + .15			<u> </u>		\$
☐ 25,000 SF or more	\$6,900.00 + .15	per SF	=			
☐ SPA within plan	\$800.00				-	\$
	<u>Other</u>					
☐ New Institutional/Religious	*	\$3,700.00				\$
☐ SPA within plan		\$800.00			ļ	\$
(SPA=Special Protection Area	a)					
Preliminary Plan Amendme	<u>nts</u>					
☐ Major Amendment		Same as Prelimin	ary Plan (e	nter with SPA fee)	ļ	\$
☐ Minor Amendment		\$2,915.00			\$	
APF Review Not Associate \$2,915.00 Plan (50.4.3.J)	ed with Another				_	\$
☐ Subdivision Regulation Wa	aiver (50.9)	\$2,650.00 per wai	ver	# of waivers		\$
				<u></u>		
				Total This Pa	age	\$

Site Plan (check applicable boxes)

	Residential (DUs = Dwelling Units)		
☐ Residential		- // (D)	
☐ 1 to 9 Dus	\$4,775.00 + \$175.00 per DU	# of DUsx \$175 = \$	\$
☐ 10 or more DUs	\$6,350.00 + \$175.00 per DU	Ψ Ψ170 – Ψ	
☐ SPA within plan			
☐ 1 to 9 DUs	\$400.00		
☐ 10 to 50 DUs	\$800.00		\$
☐ more than 50 DUs	\$800.00 + \$20.00 per DU over 50	# of DUs > 50x \$20 = \$	
	Commercial/Industrial (SF=Square Feet)		
☐ Commercial			
☐ 1 to 9,999 SF	\$4,775.00 + .15 per SF	# of SFx	\$
☐ 10,000 or more SF	\$6,350.00 + .15 per SF	\$0.15 = \$	
☐ SPA within plan	\$800.00	LJ	\$
	<u>Other</u>		
☐ Institutional/Religious*	\$3,700.00		\$
☐ SPA within plan	\$800.00		\$
Site Plan Amendments			
☐ Major Amendment	Same as Site Plan		\$
☐ Minor Amendment	\$2,915.00		\$
☐ SPA within Amend.	\$800.00		\$
☐ Record Plats (including minor subdivision)	\$3,200.00	Number of Plats:	\$
		Total This Page	\$

(SPA=Special Protection Area)

^{*}Note: 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.

\$

\$

Sketch Plan (check applicable boxes)

Commercial/Residential Base Fee

\$5,300.00	\$
	\$5,300.00

☐ Greater than 20,000 square feet \$10,600.00 \$

Additional per SF fee

☐ Commercial (GFA)

□ Projects 0 – 500,000 square feet (SF) # of SF _____x
\$0.20 = \$

□ Projects 500,001 – 1,000,000 square # of SF _____x \$
feet (SF) \$ \$0.25 = \$ ____

□ Major Amendment* Same as Sketch Plan (enter above)

□ Minor Amendment** \$5,300

<u>Total Sketch Plan Fee</u> (sum of the above, or Max. of \$275,000.00, whichever is less)

NOTES:

- Total 100% of the Sketch Plan Fee is due Prior to Acceptance of the Application
- *Major Amendment Any request to increase density or height
- ** <u>Minor Amendment</u> Any request to change a "Condition of Approval" or "Binding Element" that does not affect density or height

<u>Project Plan Amendment</u> (check applicable boxes)

☐ Residential (DUs)	\$4,775.00 + \$80.00 per DU

04.775.00 - 00.45 - 05	# of SF	
\$4,775.00 + \$0.15 per SF	¢ 15 – ¢	

□ Extensions \$2,450.00

<u>Total Project Plan Fee</u> (sum of the above, or \$275,000.00, whichever is less)

\$80 = \$X	\$
# of SFx \$.15 = \$	\$

of DHs

Staging Allocation Request (SAR) (check applicable boxes

☐ Residential (DUs)	
☐ Non-Residential (Square Feet)	

☐ Projects Not Requiring a Sketch Plan

Total SAR Fee (sum of the above)

# of DUsx \$1.00 = \$	\$
# of SFx \$0.01 = \$	\$
Residential & Non-Residential \$525.00	\$
	\$

Total This Page \$

\$

BioHealth Priority Campu	<u>ıs Plan/Signature Business Headqu</u>	<u>arters Plan</u> (check applicable boxes)	
□ 50,000-149,999 sq ft \$106,000.00		\$	
□ 150,000-399,999 sq ft		\$212,000.00	\$
☐ 400,000 sq ft and above		\$318,000.00	\$
<u>Amendments</u>	us Plan/Signature Business Headqu		
☐ Amendment with no add		\$10,600.00	\$
☐ Amendment with 1 – 49,	999 additional SF	\$10,600.00	\$
☐ Amendment with 50,000	or more additional SF	\$53,000.00	\$
☐ 10% Deduction for project	cts in Opportunity Zones	_	<\$ >
Mixed Income Housing Co	ommunity Plan (check applicable box	xes)	
	Residential (DUs = Dwelling Units)	F,	
□ Residential	\$3,200 + \$210.00 per DU	# of DUsx \$210 = \$	\$
	Non-residential (SF=Square Feet)	<u> </u>	
☐ Non-residential		•	
☐ 1 to 9,999 SF	\$3,700.00 + .15 per SF	# of SFx	\$
□ 10,000 – 24,999 SF	\$4,775.00 + .15 per SF	\$0.15 = \$	Ф
☐ 25,000 SF or More	\$5,850.00 + .15 per SF		
Mixed Income Housing Co	ommunity Plan Amendments		
☐ Additional DU's or non-residential floor area	Same as new Nixed Income Housing	g Community Plan	\$
☐ Residential with no additional DU's	\$3,200.00		\$
☐ Non-residential with no	\$3,700.00		\$

Note: The Mixed-Income Housing Community Plan fees will not qualify for a "Fee Reduction Request" because the noted fees have already been reduced in comparison to a concurrent Sketch Plan and Site Plan Review submission.

additional SF

Credit for Concurrently Filed Plans		
☐ Credit for Preliminary and Site Plans filed concurrently <u>after</u> the approval of a Sketch Plan	A. Sketch Plan Fee \$/ 2 = \$	<\$ >
☐ Credit for Preliminary and Site Plan Amendments filed concurrently with a new Sketch Plan in order to take advantage of CR zoning that was applied to the property after the previous Preliminary and Site Plans were approved	A. Sketch Plan Fee \$ / 2 = \$ (maximum credit possible) B. Portion of Sketch Plan credit not previously used \$ C. Preliminary Plan Fee \$ + Site Plan Fee \$ = \$ = \$ Credit cannot exceed B or C. Credit will be applied equally to the Preliminary and Site Plans if possible.	<\$ >
	Total This Page	\$
	Total Fee	\$
	able to M-NCPPC	
Date Received Check No.	Contact us at the phone numl of the form if your application	
Received by	paid in installments.	Ü