



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of April 22, 2006**

DATE: March 24, 2006

SUBJECT: Zoning Ordinance amendment to Section 36. *Administration and Procedures* of the Zoning Ordinance to increase application fees for certificates of occupancy and subdivision plat reviews evaluated by the Zoning Administration office for compliance with zoning regulations.

C. M. RECOMMENDATION:

Adopt the attached Ordinance to amend, reenact and recodify Section 36 of the Arlington County Zoning Ordinance to increase various zoning fees necessary to provide for efficient administration of review process, to encourage economic development, and to promote the health, safety and general welfare of the public.

ISSUES: None.

SUMMARY: In order to further the County's goal of recovering more of the costs associated with reviews and processing, staff proposes increasing application fees for Certificates of Occupancy and Subdivision Plat Reviews. The proposed fee increases are for the Certificates of Occupancy and Subdivision Plat Review applications that are reviewed by the Zoning Office for compliance with zoning regulations. The proposed fee schedule in this report includes fee increases in two (2) Subsections - Subsection 36.D Certificates of Occupancy and Subsection 36.K Subdivision Plat Review - of the Zoning Ordinance. The rate of inflation over the past three years was nine and nine-tenths percent (9.9%). Staff proposes raising the fees approximately ten percent (10%); the fee increases will not result in more revenue than the cost of the services provided. The modified fee schedule would become effective on July 1, 2006 if approved by the County Board.

BACKGROUND: The fees listed in Subsections 36.D and 36.K of the Zoning Ordinance are scheduled for review this year, following a regular three (3)-year review schedule established by the County. The proposed increases are based on an inflation adjustment for the past three years of nine and nine-tenths percent (9.9%). Staff proposes raising the fees by approximately ten percent (10%); the fee increases will not result in more revenue than the cost of providing the services. Rounding from numbers that are not even has been done upward.

County Manager: _____

County Attorney: _____

Staff: Colleen Connor, CPHD, Planning Division

PLA-4316

The public hearing for this matter was held on March 30, 2006, and the County Board will take action on the Fiscal Year 2007 budget on April 22, 2006 and the proposed Zoning Ordinance Amendment will be formally acted on by the County Board at that meeting.

DISCUSSION: In order to further the County's goal of recovering more of the costs associated with review and processing, the proposed zoning fee increases should be adopted. The modified fee schedule would become effective on July 1, 2006, if approved by the County Board. The new fees would not exceed the cost of services and issuing certificates. The Planning Commission will consider the proposed Zoning Ordinance Amendment at its April 10, 2006 hearing.

The proposed fee schedule changes are summarized below:

Subsection 36.D Certificates of Occupancy

	Existing Fees	Proposed fees
Type 1. Flat Fee		
Swimming pools	\$176	\$195
Parking Lots	\$143	\$160
Motor vehicle dealerships: New, Used-and Rentals	\$738	\$815
Uses not elsewhere specified	\$143	\$160

	Existing Fees	Proposed fees
Type II. Residential, Commercial, Office, Hotel and Industrial Buildings		
1. MASTER CERTIFICATE OF OCCUPANCY		
a. New multiple-family dwellings, commercial, office, industrial and hotel buildings with elevators: Four hundred eighty-nine dollars	\$489	\$540
b. New Commercial, office and industrial buildings without elevators	\$281	\$310
c. New multiple-family dwellings without elevators	\$247.00 plus \$11.00/unit.	\$275.00 plus \$12.00/unit
d. New motels, tourist homes, bed and breakfasts, rooming houses and boardinghouses	\$247.00 plus \$11.00/unit	\$275.00 plus \$12.00/unit
e. One- and two-family dwellings	\$212.00	\$235.00

f. New town house projects (site work) fewer than twenty (20) units	\$281.00	\$310.00
g. New town house projects (site work) more than twenty (20) units	\$489.00	\$540.00
h. Change in ownership of commercial, office and industrial buildings	\$281.00	\$310.00
i. Change in ownership of multiple-family dwellings with and without elevators and town houses (rental units)	\$247.00 plus \$11.00/unit	\$275.00 plus \$12.00/unit
j. Change in ownership of motels, tourist homes, bed and breakfasts, rooming houses and boardinghouses	\$212.00 plus \$11.00/unit.	\$235.00 plus \$12.00/unit
k. Multiple-family dwellings with elevators converting to condominiums or cooperatives	\$489.00	\$540.00
l. Multiple-family dwellings without elevators converting to condominiums or cooperatives:	\$247.00 plus \$11.00/unit	\$275.00 plus \$12.00/unit
2. SHELL AND CORE CERTIFICATE FOR ELEVATOR BUILDINGS.		
a. New multiple-family dwellings, commercial, industrial, office and hotel buildings, and multiple-family dwellings converting to condominiums or cooperatives: (1) Up to one hundred fifty thousand (150,000) square feet of gross floor area	\$1,110.00	\$1,220.00
(2) Over one hundred fifty thousand (150,000) square feet of gross floor area	\$1,800.00	\$1,980.00
[b. Reserved]		
3. CERTIFICATE FOR PARTIAL OCCUPANCY.		
a. Commercial, office and industrial uses: (1) Up to one hundred fifty (150) square feet of gross floor area (desk space)	\$110.00	\$121.00
(2) Over one hundred fifty (150) square feet of gross floor area and up to two thousand (2,000) square feet of gross floor area	\$156.00	\$171.00
(3) Over two thousand (2,000) square feet of gross floor area	\$247.00	\$275.00
	Per 10,000 square feet of gross floor area or fraction thereof.	Per 10,000 square feet of gross floor area or fraction thereof.
b. Multiple-family dwellings	\$212.00 plus \$11.00/unit.	\$235.00 plus \$12.00/unit
c. Hotels	\$212.00 plus \$11.00/unit.	\$235.00 plus \$12.00/unit

d. Townhouse units	\$212.00 plus \$11.00/unit.	\$235.00 plus \$12.00/unit
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	Existing Fees	Proposed fees
<i>Type III. Parking Structures:</i>	\$281.00 Per 20,000 square feet of gross floor area or fraction thereof.	\$310.00 Per 20,000 square feet of gross floor area or fraction thereof.

	Existing Fees	Proposed fees
<i>Type IV. County Owned, Operated and/or Sponsored Facilities and Activities and Short-term Activities of Nonprofit Organizations:</i>	No fee.	No fee.

	Existing Fees	Proposed fees
<i>Type V. Family Day Care Homes for One (1) to Nine (9) Children</i>	\$22.00	\$24.00

Subsection 36.K Subdivision Plat Review

	Existing Fees	Proposed fees
a. Subdivision plat	\$120.00 plus \$66.00/lot	\$132.00 plus \$72.00 per lot
b. Residential and commercial condominium plats--	Base fee of \$120.00 for nine (9) units or less; \$240.00 for ten (10) or more units.	Base fee of \$132.00 for nine (9) units or less; \$264.00 for ten (10) or more units

FISCAL IMPACT: It is estimated that the proposed fee schedule will generate an additional \$30,000 in fee revenue in Fiscal Year 2007. The fee revenue increases have been included in the Fiscal Year 2007 Proposed Budget.

CONCLUSION: The proposed fee increases are intended to further the County's goal of recovering more of the costs associated with reviews and processing, to provide for efficient administration of the Zoning Ordinance, to encourage economic development; and to promote

the health, safety and general welfare of the public. Therefore, it is recommended that the County Board adopt the proposed Ordinance to amend, reenact, and recodify Section 36. *Administration and Procedures* of the Zoning Ordinance increase various zoning fees necessary to provide for efficient administration of the Zoning Ordinance, and to encourage economic development and to promote the health, safety and general welfare of the public.

AN ORDINANCE TO AMEND, REENACT, AND RECODIFY SECTION 36. ADMINISTRATION AND PROCEDURES, SUBSECTIONS 36. D, CERTIFICATES OF OCCUPANCY, AND 36.K, SUBDIVISION PLAT REVIEW, OF THE ZONING ORDINANCE TO INCREASE FEES FOR CERTIFICATES OF OCCUPANCY AND SUBDIVISION PLAT REVIEWS EVALUATED BY THE ZONING OFFICE FOR COMPLIANCE WITH ZONING REGULATIONS.

BE IT ORDAINED THAT, Section 36., Subsections 36.D. and K of the Zoning Ordinance be hereby amended, reenacted, and recodified to increase fees for certificates of occupancy and subdivision plat reviews evaluated by the Zoning Office for compliance with zoning regulations, to provide for efficient administration of the Zoning Ordinance, and to encourage economic development and to promote the health, safety and general welfare of the public:

SECTION 36. ADMINISTRATION AND PROCEDURES

* * *

D. Certificates of Occupancy

* * *

Type I. Flat Fees:

1. Swimming pools: One hundred ~~seventy-six~~ ninety-five dollars (~~\$176~~ \$195.00).
2. Parking lots: One hundred ~~forty-three~~ sixty dollars (~~\$143.00~~ \$160.00).
3. Motor vehicle dealerships: New, Used- and Rentals: ~~Seven hundred and thirty-eight~~ eight hundred and fifteen dollars (~~\$738.00~~ \$815.00).
4. Uses not elsewhere specified: One hundred ~~forty-three~~ sixty dollars (~~\$143.00~~ \$160.00).

Type II. Residential, Commercial, Office, Hotel and Industrial Buildings:

1. Master Certificate of Occupancy. A master certificate of occupancy (M.C.O.) shall be required for the entire building and site work. Except for certificates for shell and core and partial occupancy, as defined in paragraphs 2. and 3. below, no other certificate of occupancy is required if the M.C.O. can be approved and issued prior to any occupancy of the building. A request for a certificate for partial occupancy of a building may be made after the filing of the applications for the M.C.O. and the certificates of occupancy described in paragraph 2. below have been issued, if applicable. The fee for the M.C.O. shall be as follows:
 - a. New multiple-family dwellings, commercial, office, industrial and hotel buildings with elevators: ~~Four hundred eighty-nine~~ five hundred forty dollars (~~\$489.00~~ \$540.00).

- b. New commercial, office and industrial buildings without elevators: ~~Two three hundred eighty-one ten~~ dollars (~~\$281.00~~ \$310.00).
 - c. New multiple-family dwellings without elevators: Two hundred ~~forty-seven~~ seventy-five dollars (~~\$247.00~~ \$275.00), plus ~~eleven~~ twelve dollars (~~\$11.00~~ \$12.00) per unit.
 - d. New motels, tourist homes, bed and breakfasts, rooming houses and boardinghouses: Two hundred ~~forty-seven~~ seventy-five dollars (~~\$247.00~~ \$275.00), plus ~~eleven-twelve~~ dollars (~~\$11.00~~ \$12.00) per unit.
 - e. One- and two-family dwellings: Two hundred ~~twelve~~ thirty-five dollars (~~\$212.00~~ \$235.00).
 - f. New town house projects (site work) fewer than twenty (20) units: ~~Two three hundred eighty-one ten~~ dollars (~~\$281.00~~ \$310.00).
 - g. New town house projects (site work) more than twenty (20) units: ~~Four hundred eighty-nine~~ five hundred forty dollars (~~\$489.00~~ \$540.00).
 - h. Change in ownership of commercial, office and industrial buildings: ~~Two three hundred eighty-one ten~~ dollars (~~\$281.00~~ \$310.00).
 - i. Change in ownership of multiple-family dwellings with and without elevators and town houses (rental units): two hundred ~~forty-seven~~ seventy-five dollars (~~\$247.00~~ \$275.00), plus ~~eleven~~ twelve dollars (~~\$11.00~~ \$12.00) per unit.
 - j. Change in ownership of motels, tourist homes, bed and breakfasts, rooming houses and boardinghouses: Two hundred ~~twelve~~ thirty-five dollars (~~\$212.00~~ \$235.00) plus ~~eleven~~ twelve dollars (~~\$11.00~~ \$12.00) per unit.
 - k. Multiple-family dwellings with elevators converting to condominiums or cooperatives: ~~Four hundred eighty-nine~~ five hundred forty dollars (~~\$489.00~~ \$540.00).
 - l. Multiple-family dwellings without elevators converting to condominiums or cooperatives: Two hundred ~~forty-seven~~ seventy-five dollars (~~\$247.00~~ \$275.00), plus ~~eleven~~ twelve dollars (~~\$11.00~~ \$12.00) per unit.
2. Shell and Core Certificate for Elevator Buildings. Prior to any approval of a request for a certificate for partial occupancy of any new elevator building or a multiple-family dwelling with elevator(s) converting to condominiums or a cooperative, the owner shall have filed a request for a master certificate of occupancy and shall have been issued a certificate of occupancy for the shell and core of the building. No shell and core certificate of occupancy shall be issued until the building support systems such as the fire alarm system, elevators, restrooms, ventilating system and exit-ways have been inspected and approved. The fee for a shell and core certificate shall be as follows:

- a. New multiple-family dwellings, commercial, industrial, office and hotel buildings, and multiple-family dwellings converting to condominiums or cooperatives:
 - (1) Up to one hundred fifty thousand (150,000) square feet of gross floor area: One thousand ~~one~~ two hundred ~~ten~~ twenty dollars (~~\$110.00~~ \$1,220.00).
 - (2) Over one hundred fifty thousand (150,000) square feet of gross floor area: One thousand ~~eight~~ nine hundred eighty dollars (~~\$1,800.00~~ \$1,980.00).

[b. Reserved.]

3. Certificate for Partial Occupancy. A request for a certificate for partial occupancy of a multiple family dwelling or hotel and tenant space for an office, commercial or industrial building may be made; however, no certificate for partial occupancy shall be issued unless the space is approved for occupancy and the master certificate of occupancy or the shell and core certificates of occupancy for the building have been issued. The fee for certificate for partial occupancy shall be as follows:

- a. Commercial, office and industrial uses:
 - (1) Up to one hundred fifty (150) square feet of gross floor area (desk space): One hundred ~~ten~~ twenty-one dollars (~~\$110.00~~ \$121.00).
 - (2) Over one hundred fifty (150) square feet of gross floor area and up to two thousand (2,000) square feet of gross floor area: One hundred ~~fifty-six~~ seventy-one dollars (~~\$156.00~~ \$171.00).
 - (3) Over two thousand (2,000) square feet of gross floor area: Two hundred ~~forty-seven~~ seventy-five dollars (~~\$247.00~~ \$275.00) per ten thousand (10,000) square feet of gross floor area or fraction thereof.
- b. Multiple-family dwellings: Two hundred ~~twelve~~ thirty-five dollars (~~\$212.00~~ \$235.00), plus twelve dollars (~~\$11.00~~ \$12.00) per unit.
- c. Hotels: Two hundred ~~twelve~~ thirty-five dollars (~~\$212.00~~ \$235.00), plus twelve dollars (~~\$11.00~~ \$12.00) per unit.
- d. Townhouse units: Two hundred ~~twelve~~ thirty-five dollars (~~\$212.00~~ \$235.00), plus twelve dollars (~~\$11.00~~ \$12.00) per unit.

Type III. Parking Structures: Two Three hundred ~~eighty-one~~ ten dollars (~~\$281.00~~ \$310.00) per twenty thousand (20,000) square feet of gross floor area or fraction thereof.

Type IV. County Owned, Operated and/or Sponsored Facilities and Activities and Short-term Activities of Nonprofit Organizations: No fee.

Type V. Family Day Care Homes for One (1) to Nine (9) Children: Twenty ~~two~~ four dollars (~~\$22.00~~ \$24.00).

K. Subdivision Plat Review

1. Every subdivision plat submitted for review for compliance with the Zoning Ordinance or site plan conditions shall be accompanied by a fee in accordance with the following schedule:
 - a. *Subdivision plat*--Base fee of one hundred ~~twenty~~ thirty-two dollars (~~\$120.00~~-\$132.00), plus ~~sixty-six~~ seventy-two dollars (~~\$66.00~~-\$72.00) per lot.
 - b. *Residential and commercial condominium plats*--Base fee of one hundred ~~twenty~~ thirty-two dollars (~~\$120.00~~-\$132.00) for nine (9) units or less; two hundred ~~forty~~ sixty-four dollars (~~\$240.00~~ \$264.00) for ten (10) or more units.