



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of February 21, 2009**

DATE: January 30, 2009

SUBJECT: Request to Advertise Public Hearings on Amendments to the Street Development & Construction Ordinance, Chapter 22, of the Code of Arlington County, Virginia, the Subdivision Ordinance, Chapter 23, of the Code of Arlington County, Virginia, and the Erosion and Sediment Control Ordinance, Chapter 57, of the Code of Arlington County, Virginia, Concerning Engineering Review and Inspection Service, Plat Review and Approval, Public Improvement Bond Administration, and Erosion and Sediment Control Plan Review and Inspection Fees.

C. M. RECOMMENDATION:

Request to advertise a public hearing on March 26, 2009 for the County Board to enact an Ordinance to amend, reenact, and recodify Chapter 22 (Street Development and Construction) Section 22-7, Chapter 23 (Subdivision) Section 23-11, and Chapter 57 (Erosion & Sediment Control) Section 57-8 of the Code of Arlington County, Virginia concerning charges for engineering review and inspection service, plat review and approval, public improvement bond administration, and erosion and sediment control plan review and inspection, to become effective on July 1, 2009.

ISSUE: Should development-related fees be increased to support partial cost recovery of operations to improve performance and deliver a higher level of customer service?

SUMMARY: The proposed ordinance amends Chapter 22, § 22-7, Chapter 23, § 23-11 and Chapter 57, § 57-8 of the County Code. The Development Services Bureau of the Department of Environmental Services collects these fees, which were last increased in July 2007 for engineering plan review/inspection, plat review and approval, bond administration, and erosion and sediment control review/inspection.

BACKGROUND: The proposed Development Services Bureau fee increases are identified in the attached Ordinance, Chapter 22, Section 22-7, Chapter 23, Section 23-11, and Chapter 57, Section 57-8. This Bureau is responsible for collecting fees for the review of private development engineering plans and other engineering inspection services. These plans are for the improvements designed and to be built by private development in public rights-of-way. Other fees collected by the Bureau and other County departments are for subdivision plat review, public improvement bond administration and erosion and sediment control services.

County Manager: _____

County Attorney: _____

Staff: Paul Culver, Department of Environmental Services

DISCUSSION: The proposed fee increases are needed to approach an amount consistent with the cost of services rendered, including personnel and inflationary cost increases. The fee increases do not exceed the cost to the County of providing the services to which the fees relate. Four new fees are proposed in Chapter 23, Section 23-11 (1) and (4) for preliminary plat re-approval, bond estimate review for bonds under \$10,000, bond estimate review fee for bonds over \$10,000, and bond replacement services. In recent years, developers have quite often requested preliminary plat re-approvals by the County to extend the period of validity for previously approved plats. An increased fee to partially defray this service needs to be implemented to recoup a portion of associated staff costs. The proposed bond estimate review and replacement fees are being implemented to recoup a portion of the cost for these activities for which no charges have been made in the past. A modification to the plat revision fee as a percentage of the original filing fee in Chapter 23, Section 23-11 (1) is being made as that fee was intended to increase from 25% to 29% in FY 2008. All of these fees were last increased on July 1, 2007.

Staff will present the proposed fee increases to the Northern Virginia Builders Industry Association (NVBIA) on February 18, 2009, so that they can provide any comments before enactment by the Board of the Ordinance amendments. All of the proposed fee increases would be effective July 1, 2009.

FISCAL IMPACT: The fee increases recommended for advertisement are projected to produce an additional \$96,000 annually. These additional revenues are included in the County Manager's base FY 2010 Proposed Budget.

AN ORDINANCE TO AMEND, REENACT, AND RECODIFY CHAPTER 22 (STREET DEVELOPMENT AND CONSTRUCTION), SECTION 22-7, CHAPTER 23 (SUBDIVISIONS), SECTION 23-11, AND CHAPTER 57 (EROSION AND SEDIMENT CONTROL), SECTION 57-8 OF THE CODE OF ARLINGTON COUNTY, VIRGINIA CONCERNING ENGINEERING REVIEW AND INSPECTION SERVICE, PLAT APPLICATION, PLAT REVIEW, BOND ADMINISTRATION SERVICES AND EROSION AND SEDIMENT CONTROL FEES, TO BECOME EFFECTIVE ON JULY 1, 2009.

I. BE IT ORDAINED by the County Board of Arlington County, Virginia that Chapter 22, Section 22-7 is amended, reenacted, and recodified, effective July 1, 2009, to read in pertinent part, as follows:

Chapter 22

STREET DEVELOPMENT AND CONSTRUCTION

§ 22-7. Charges.

The cost of the engineering services rendered by the Department of Environmental Services including studies, approval of plans, supervision and inspection of construction, shall be borne by the owner or developer at the charges set out below.

A request for plan approval shall be accompanied by payment of no less than one-half (1/2) of the fee charged for engineering review and inspection services set forth in subsections (a) and (b) below. Payment of the balance of the fee charges shall be made on or before the release of the final approved engineering construction plans.

- (a) Engineering review and inspection service on new street construction or improvements to existing streets that were required by redevelopment of the land adjacent to the street:

Plan submittal charge of ~~\$150.00~~ \$160.00 filing fee per project, plus basic plan review, approval, any necessary plan revisions after approval, submittal and review of as-builts, charge of ~~\$1,000.00~~ \$1,050.00 per project with the following additional charge added to the base charge, per linear frontage foot . . . ~~9.28~~ 9.75

- (b) Engineering review and inspection service for storm sewers, water mains, sanitary sewers and other utility support facilities such as electric, telephone and traffic signal and street light bases and conduits, per linear foot in addition to the basic plan review fee . . . ~~5.80~~ 6.00

When application for permit is made, payment shall be made in advance to the county treasurer to cover the cost of all permits and inspection fees in accordance with (c) through (o).

- (c) Chesapeake Bay Preservation Ordinance review fees for review required by Chapter 61 of the Arlington County Code:

Minor water quality impact assessment review	\$500.00 <u>\$525.00</u>
Major water quality impact assessment review	1,500.00 <u>1,575.00</u>
Landscape Conservation Plan review	290.00 <u>305.00</u>
Exception request	375.00 <u>395.00</u>
Modification or waiver of performance review	1,000.00 <u>1,050.00</u>
Storm water quality management plan review when no Watershed Management Fund contribution is submitted	500.00 <u>525.00</u>
Watershed Management Fund participation review based on the proposed impervious site area:	
- Up to 5,000 square feet	300.00 <u>315.00</u>
- 5,001 to 30,000 square feet	600.00 <u>630.00</u>
- Over 30,000 square feet	1,000.00 <u>1,050.00</u>
(Fees are in addition to Watershed Management Fund contribution)	

- (d) Other engineering reviews and services:

Storm water detention plan review	250.00 <u>262.00</u>
Storm water detention waiver requests, each	200.00 <u>209.00</u>
Floodplain plan review	1,500.00 <u>1,575.00</u>
Drainage study plan review	720.00 <u>755.00</u>

- (e) For the construction of public utility lines, the inspection charges and guarantees shall be as follows, except as provided in paragraph (o) below:

Work performed for Arlington County project . . . No fee

Basic permit fee ~~130.00~~ 140.00

Work performed in county right-of-way without an approved permit and engineering plans ~~260.00~~ 500.00

Emergency base permit fee ~~260.00~~ 400.00

Extension of an existing public right-of-way permit ~~130.00~~ 200.00

Additional permit fee charges are:

Pipelines, underground conduits, etc.:

House connection ~~195.00~~ 205.00

Up to 100 feet ~~325.00~~ 340.00

Plus, any additional portion of 100 feet ~~162.50~~ 170.00

Poles—Overhead lines, etc.:
 Poles with or without guy wires ~~195.00~~ 205.00
 Guys ~~195.00~~ 205.00
 Wires along street:
 Up to 100 feet ~~260.00~~ 275.00
 Plus, any additional portion of 100 feet ~~130.00~~ 140.00

(f) Driveways, sidewalks, and landscaping:

Basic permit fee ~~130.00~~ 140.00
 Each additional entrance ~~195.00~~ 205.00
 Sidewalk:
 For every 50 feet and/or portion of ~~195.00~~ 205.00
 Street trees:
 Basic permit fee (not related to a site plan development) . . ~~49.50~~ 25.00

(g) Environmental services fee for reviewing potential utility conflicts and marking public utilities including storm sewers, water supply infrastructure, and sanitary sewer infrastructure. This fee shall be collected at the same time of construction permit application for work where ground is expected to be disturbed as follows:

New commercial or apartment structure permit ~~364.00~~ 382.00
 New town house construction permit (per structure of 10 or more units) . . .
~~364.00~~ 382.00
 New town house construction permit (per structure of less than 10 units) . . .
~~182.00~~ 195.00
 New residential single-family structure permit ~~182.00~~ 195.00
 Demolition permit ~~182.00~~ 195.00
 Exterior alterations related to building, plumbing, electrical or mechanical
 permit ~~45.50~~ 50.00

(h) Expedited engineering permit review for construction within streets right-of-way provided by a professional engineering contract service. This fee shall be collected prior to the issuance of right-of-way permit ~~14,784.90~~ 15,500.00

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II. BE IT FURTHER ORDAINED by the County Board of Arlington County, Virginia that Chapter 23, Section 23-11 (A) of the Code of Arlington County, Virginia is amended, reenacted, and recodified effective July 1, 2009, to read in pertinent part, as follows:

Chapter 23
SUBDIVISIONS

§ 23-11. Plat review and bond administration fees.

(A) The cost of plat review services rendered by the Department of Environmental Services, including review, approval and administration of bonds, shall be borne by the subdivider or developer at the charges set out below.

(1) Subdivision plats:

Plat review fees:

Base fee ~~\$928.00~~ \$1,500.00

Plus, per lot/division of land ~~127.60~~ 200.00

Plat revisions:

Filing fee--As percentage of initially submitted plat review fee (base fee plus per lot fee) ~~29%~~ 25%

Preliminary plat reapproval 500.00

Final plat reapproval ~~139.20~~ 225.00

(2) Condominium plats:

Plat review fee ~~754.00~~ 1,200.00

Plat revisions, ~~percentage of total filing fee~~ ~~29%~~ 300.00

Final condominium plat reapproval ~~139.20~~ 225.00

(3) Public easement, vacation and abandonment plats:

Plat review fee ~~261.00~~ 300.00

Final plat reapproval ~~29.00~~ 50.00

(4) Bond and agreement processing fees for subdivisions, site plans, or use permits:

Bond estimate review fee of \$10,000 or less, each . . . 100.00

Bond estimate review fee over \$10,000, each 400.00

Bonds of \$10,000 or less, each ~~377.00~~ 400.00

Bonds over \$10,000, each ~~986.00~~ 1,500.00

Agreement extensions, each . . . ~~377.00~~ 600.00

Bond reductions, each ~~696.00~~ 1,050.00

Bond exchanges or replacements, each 500.00

Combined bond reduction and agreement extension, each . . . ~~1,044.00~~
1,500.00

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III. BE IT FURTHER ORDAINED by the County Board of Arlington County, Virginia that Chapter 57, Section 57-8 of the Code of Arlington County, Virginia is amended, reenacted, and recodified effective July 1, 2009, to read in pertinent part, as follows:

Chapter 57

THE EROSION AND SEDIMENT CONTROL ORDINANCE

§ 57-8. Issuance of land-disturbing permits and fees.

* * *

- (3) An Erosion and Sediment Control fee for reviewing plans and performing field inspections shall be collected at the time of building permit application as follows:

All exterior alteration, plumbing, electrical, or mechanical building permits where more than 100 square feet and less than 2500 square feet are estimated to be disturbed. Fence permits are not included. ~~\$65~~ \$100

All exterior alteration, plumbing, electrical, or mechanical building permits where more than 2500 square feet are disturbed. ~~\$650~~ \$750

All demolition and new residential single-family structure building permits ~~\$260~~ \$400

New town house building permits (per structure of less than 10 units) ~~\$260~~ \$275

New town house building permits (per structure of 10 units or more) ~~\$650~~ \$700 but not to exceed ~~\$32,500~~ \$34,000

Each new commercial structure, each new apartment structure, and any other new structure requiring building permits where less than 5000 square feet are estimated to be disturbed ~~\$1,300~~ \$1,500

Each new commercial structure, each new apartment structure, and any other new structure requiring building permits where more than 5000 square feet are disturbed ~~\$1,300~~ \$1,500 plus ~~\$0.29~~ \$0.30 for each square foot of disturbed area over the first 5000 square feet. The maximum fee to be charged not to exceed ~~\$52,000~~ \$55,000.

IV. The remaining sections and subsections of Chapter 22, 23 and 57 of the Code of Arlington County, Virginia not amended hereby shall remain in effect as previously enacted.