

Subject: To Amend Chapter 223 of the Code of St. Mary's County, Maryland, to Provide for and Set the Schedule of Fees

LIBER 0027 FILE 057

ORDINANCE

TO AMEND CHAPTER 223 OF THE CODE OF ST. MARY'S COUNTY, MARYLAND, TO PROVIDE FOR AND SET THE SCHEDULE OF FEES

WHEREAS, pursuant to the *Land Use Article* of the *Annotated Code of Maryland*, the Commissioners of St. Mary's County are authorized to adopt a Comprehensive Zoning Ordinance; and

WHEREAS, St. Mary's County Comprehensive Zoning Ordinance §22.8 of Chapter 285 of the Code of St. Mary's County, Maryland states that the Commissioners of St. Mary's County may establish a schedule of fees, charges, expenses and fines and a collection and refund procedure for zoning certificates, appeals, violations, and other matters pertaining to the Comprehensive Zoning Ordinance; and

WHEREAS, a notice of a public hearing was advertised on April 5, 2019 and April 12, 2019 in *The Enterprise*, a newspaper of general circulation in St. Mary's County, and a public hearing was held on April 23, 2019, to receive public comment and consider the setting of the Schedule of Fees; and

WHEREAS, the Commissioners of St. Mary's County find that it is in the best interest of the health, safety and welfare of the citizens of St. Mary's County to set the Schedule of Fees,

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of St. Mary's County, pursuant to §22.8 of Chapter 285 of the Code of St. Mary's County, Maryland that:

SECTION I. Article III of Chapter 223 of the *Code of St. Mary's County, Maryland*, be repealed and re-enacted to read as follows:

SCHEDULE OF FEES FOR ST. MARY'S COUNTY

FEES

- 1. LAND USE AND GROWTH MANAGEMENT (LUGM) AND PUBLIC WORKS AND TRANSPORTATION (DPWT) REVIEW, APPLICATION AND INSPECTION FEES.

A. **Minor Subdivision:** 1-7 Lots

LUGM TEC & Review Fees	\$ 600 + \$ 60 per lot
DPWT TEC & Review Fees	\$ 150 + \$ 40 per lot
Total	\$ 750 + \$ 100 per lot

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Additional DPWT inspection fees of \$60 per reinspection are charged for all re-inspections. Resubmitted plans that do not address all DPWT comments are subject to an additional charge of 50% of the DPWT review fee.

B. Major Subdivision: More than 7 lots

LUGM TEC & Review Fees	\$ 1500 + \$ 70 per lot
DPWT TEC & Review Fees	\$ 400 + \$ 30 per lot
Total	\$ 1900 + \$ 100 per lot

Additional DPWT inspection fees of \$60 per reinspection are charged for all re-inspections. Resubmitted plans that do not address all DPWT comments are subject to an additional charge of 50% of the DPWT review fee. Where submitted plans require outside review due to technical matters beyond the expertise of the staff, the applicant will be charged the consultant's fee plus 5% processing charge.

C. Major Site Plan:

LUGM TEC & Review Fee	\$ 1100 per acre of disturbed area
DPWT TEC & Review Fee	\$ 400 per acre of disturbed area
Total	\$ 1500 per acre of disturbed area

D. Minor Site Plan:

LUGM Review Fee – Over 500 Square Feet of Development; or	\$ 250
LUGM Review Fee – Under 500 Square Feet of Development	\$ 125
DPWT Review Fee	\$ 125

E. Boundary Line Adjustment Plat

LUGM Application & Review Fee	\$ 80
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F. Confirmatory Plat:

LUGM Application & Review Fee	\$ 80
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G. Plat Exempt:

LUGM Application & Review Fee FCP/FSD/TDR/Deed/Non-POR	\$ 80
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H. Review of Resubmission:

LUGM Re-Submission Review	\$ 25 each after the first
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**I. Review of Recording Documents/
Plat Package Review:**

LUGM Review Fee	\$ 60 + recording costs
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DPWT 1-10 Lots; or	\$ 30 (if determined applicable)
DPWT more than 10 Lots	\$ 60 (if determined applicable)

J. Concept Site Plan:

LUGM Application Fee	\$ 20
LUGM TEC & Review Fee	\$ 760
DPWT TEC & Review Fee	<u>\$ 160</u>
Total	\$ 940

K. PUD Application:

LUGM	\$ 10,000
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PUD fee collected will be credited against future charges (TEC & Review Fees) incurred for project which are initiated as part of the PUD. The purpose is to encourage quality development.

L. Zoning Map or Text Amendment (including Growth Allocation)

LUGM TEC & Review Fee	\$ 3,000
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The Planning Director may waive the Map Amendment fee for "H" Overlay Districts.

M. Inspection Fees:

LUGM Over Lot Grading	\$ 160 per visit
LUGM SWM Engineered Plan	\$ 160 per plan
DPWT Public Works Agreement	3% of construction cost
DPWT Grading Permit	\$ 310 per disturbed acre
DPWT Offsite Entrance Improvement	3% of construction cost

N. Board of Appeals Action

Conditional Use	\$ 750
Expansion of Non-Conforming Use	\$ 670
Variance of Zoning Ordinance	\$ 500

O. Administrative Variance

LUGM Fee	\$ 500
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P. Consultant Review Fee for projects other than major subdivisions where

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LIBER0027 PALM060

submitted plans require outside review

LUGM Fee *Consultant fee + 5%
 *Contact LUGM for
 Consultant fee cost

Q. Zoning Permit

LUGM Application Fee \$ 20
 LUGM Environmental Review \$ 30
 LUGM SWM Eng. Plan Review \$ 30
 LUGM Re-Submission Review \$ 25 each after the first

R. BOCC Railroad Right-of-Way

DPWT Railroad ROW Review Fee \$ 500 each per easement

S. Bond Reduction & Re-Inspection Fee

DPWT Grading Permit or Public Works \$ 250 each
 Agreement Bond Reduction & Re-Inspection
 Fee
 DPWT Permit Extension Applicable to all
 permits which have received more than 3 extensions. \$60.00 per renewal

T. Traffic Impact Study Review

DPWT Traffic Impact Study Review Fee \$ 200 per study

U. DPWT Application Fees

Public Works Agreement \$ 100
 Grading Permit \$ 50
 Construction Right-of-Way Permit \$ 25
 Utility Permit \$ 25

V. Critical Area and Forest Conservation

Fees, Bonds and Fines for Violations

Fee in lieu of required plantings in Critical Area \$ 1.50 per square foot
 Bond amount for Critical Area compliance \$ 1.50 per square foot of required planting
 Fine for unauthorized clearing in Critical Area \$ 1.80 per square foot of area cleared
 Fee in lieu of planting in Forest Conservation \$.30 per square foot of area in PFA
 Fee in lieu of planting in Forest Conservation \$.36 per square foot of area outside PFA
 Bond amount for Forest Conserv. compliance Cost of afforestation and/or reforestation
 Fine for violation of Forest Conservation \$ 1,000 per day

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W. Certificate of Use & Occupancy Permits

Single Family Dwelling, Townhouse, Duplex	\$ 20 per dwelling unit
Multi-family Dwellings (Apartments, Condos)	\$ 20 + \$ 5 per dwelling unit
Mobile Home/RV Park Pads, Lots, Spaces	\$ 20 per each 10 or less pads, lots, spaces
Hotels, Motels, Inns, Bed & Breakfasts	\$ 20 + \$ 5 per guest room
Commercial, Industrial, Non-Residential	\$ 20 per structure or building
Home Based Business (Home Occupation)	\$ 20
Non-Profit/Religious Organizations	No Fee

X. Coin Operated Amusement Machines

Annual fee for coin operated pool tables	\$ 100 each, due July 1 st of each year
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SECTION II. This Ordinance shall be effective July 1, 2019.

Those voting Aye: 3

Those voting Nay: 2

Those Abstaining: 0

Date of Adoption: 5/21/19

ATTEST:

COMMISSIONERS OF ST. MARY'S COUNTY

Rebecca B. Bridgett
Rebecca B. Bridgett
County Administrator

James R. Guy
James R. Guy, Commissioner President

Eric Colvin
Eric Colvin, Commissioner

Approved as to form and legal sufficiency:

David A. Weiskopf
David A. Weiskopf
County Attorney

- NAY -
Michael L. Hewitt, Commissioner

Todd B. Morgan
Todd B. Morgan, Commissioner

- NAY -
John E. O'Connor, Commissioner

DOCUMENT VALIDATION

LR - Government
Instrument 0.00
Agency Name: SMC
COUNTY COMMISSIONERS
Instrument List: Other
Describe Other:
ORDINANCE
Ref: B&P 27/57 PU/CO
COMMISSIONER

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Total: 0.00
05/22/2019 08:53
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#12168095 CC0704 - St
Mary's
County/CC07.04.02 -
Register 02

Circuit Court for St. Mary's County
PO Box 676
41605 Courthouse Drive
Leonardtown, MD 20650
(301) 475-7844

DOCUMENT VALIDATION

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