

The Town of
Leesburg,
Virginia

PRESENTED: November 30, 2010

ORDINANCE NO. 2010-O-025

ADOPTED: November 30, 2010

AN ORDINANCE: TO REVISE THE REVIEW AND INSPECTION FEE SCHEDULE (EFFECTIVE MARCH 13, 2007) REFERENCED IN THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS (EFFECTIVE AUGUST 12, 2008) AND THE ZONING ORDINANCE (EFFECTIVE SEPTEMBER 28, 2010) TO REVISE, INITIATE, AND DELETE CERTAIN FEES CHARGED FOR TOWN SERVICES; REVISE CERTAIN MISCELLANEOUS UTILITIES FEES REFERENCED IN TOWN OF LEESBURG RESOLUTION 95-96 (AUTHORIZING THE TOWN MANAGER TO CHARGE FOR MISCELLANEOUSE FEES AND CHANGES OF THE WATER AND SEWER SYSTEM) ADOPTED MAY 9, 1995 AND 99-131 (AUTHORIZING AN AGREEMENT FOR CONSTRUCTION HYDRANT METER RENTAL) ADOPTED MAY 11, 1999, A NOVEMBER 1, 2002 MEMORANDUM APPROVED BY THE TOWN MANAGER CHARGING FEES FOR TUSCARORA LANDSCAPER'S CHOICE (TLC), AND REVISING AND CODIFYING OTHER UTILITIES FEES TO BE INCORPORATED INTO SECTION 34 OF THE TOWN CODE; AND AMEND APPENDIX B (FEE SCHEDULE) TO THE TOWN CODE FOR RIGHT OF WAY PERMITS (SECTION 30.2)

The Council of the Town of Leesburg in Virginia hereby ordains:

SECTION 1. At the request of the Town Council, the Department of Finance conducted a study of Town fees that included an inventory of fees charged by the Town; a survey of comparable fees charged by other jurisdictions; and a cost model that identified the full cost recovery of each fee.

SECTION 2. As a result of the fee study, the Town Manager recommended changes to the Review and Inspection Fee schedule referenced in the Subdivision and Land Development Regulations and Zoning Ordinance; revisions to certain miscellaneous utilities fees; and amend Appendix B (Fee Schedule) to the Town Code for right of way use permits based upon full cost recovery, fees charged by other local jurisdictions for comparable services in the current market, and the benefit certain fee supported services provide the general public.

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SECTION 3. A public hearing was held by the Town Council on November 30, 2010 to receive oral and written comment on the proposed fee revisions, additional, and deletions.

SECTION 4. The Review and Inspection Fee Schedule (effective March 13, 2007) as referenced in the Subdivision and Land Development regulations (effective August 12, 2008), and the Zoning Ordinance (effective January 26, 2010) is revised as listed below to revise, initiate, and delete certain fees.

FEE	CURRENT FEE	PROPOSED FEE
Subdivision and Land Development Applications		
Preliminary Subdivision Plat - Non-Residential/First Submission	\$4,000 plus \$120 per lot or division of land (no limit on number of reviews)	\$7,500 plus \$200 per lot or division of land (up to 2 submissions)
Preliminary Subdivision Plat - Non-Residential/ Subsequent Submissions (NEW FEE)		\$1,500 for each additional submission (after second submission)
Preliminary Subdivision Plat – Residential/First Submission	\$2,500 plus \$110 per lot or division of land (no limit on number of submissions)	\$7,500 plus \$200 per lot or division of land (up to 2 submissions)
Preliminary Subdivision Plat – Residential/Subsequent Submissions (NEW FEE)		\$1,500 per additional submission (after second submission)
Construction Drawings/First Submission (includes front-loaded inspection fees for Public Works and Utilities)*	\$2,000 plus \$115 per lot plus percentage of proposed public improvements*	\$8,000 plus \$125 per lot plus percentage of proposed public improvements and site improvements* (up to 2 submissions)
Construction Drawings/Subsequent Submissions	\$1,000 per submission	\$5,000 for each additional submission (after second submission)
Construction Drawings/Signature Set	\$500	\$2,500
Correction Plat	\$500 plus \$50 per lot	\$1,500 plus \$50 per lot (up to 2 submissions)
Correction Plat/Subsequent Submissions (NEW FEE)		\$315 for each additional submission (after second submission)
Easement Plat	\$500	\$2,500 (up to 2 submissions)
Easement Plat/Subsequent Submissions (NEW FEE)		\$500 for each additional submission (after second submission)
Right of Way Dedication Plat	\$500	\$2,500 (up to 2 submissions)

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FEE	CURRENT FEE	PROPOSED FEE
Right of Way Dedication Plat/Subsequent Submissions (NEW FEE)		\$500 for each additional submission (after second submission)
Boundary Line Adjustment Plat (single owner)	\$500	\$1,250 (up to 2 submissions)
Boundary Line Adjustment Plat/Subsequent Plat Submissions (single owner) (NEW FEE)		\$275 for each additional review (after second submission)
Boundary Line Adjustment Plat (multiple owners)	\$1,000	\$1,750 (up to 2 submissions)
Boundary Line Adjustment Plat/Subsequent Submissions (multiple owners) (NEW FEE)		\$275 for each additional submission (after second submission)
Boundary Line Vacation Plat	\$200	\$1,000 (up to 2 submissions)
Boundary Line Vacation Plat/Subsequent Submissions (NEW FEE)		\$275 each additional submission (after second submission)
Final Plat – Non-Residential	\$2,000 plus \$120 per lot or division of land	\$3,500 plus \$240 per lot or division of land (up to 2 submissions)
Final Plat Non-Residential/Subsequent Submissions (NEW FEE)		\$750 for each additional submission (after second submission)
Final Plat - Residential	\$1,000 plus \$110 per lot or division of land	\$3,500 plus \$120 per lot or division of land (up to 2 submissions)
Final Plat – Residential/Subsequent Submissions (NEW FEE)		\$1,500 for each additional submission (after second submission)
Site Plan/First Submission (includes front loaded inspection fees for both Public Works and Utilities)*	\$5,000 plus \$120 per acre plus percentage of proposed public improvements*	\$10,000 plus \$200 per acre plus percentage of proposed public improvements*
Site Plan/Subsequent Submissions	\$1,000	\$5,000 for each additional submission (after second submission)
Site Plan/Signature Set	\$500	\$2,500
Minor Modification to Approved Site Plan/CD	\$250 per revised sheet per submission	\$350 per revised sheet per submission
Minor Site Plan/First Submission (includes front loaded inspection fees for Public Works and Utilities)*	\$2,500 plus \$120 per acre plus percentage of proposed public improvements*	\$5,500 plus \$200 per acre plus percentage of proposed public and site improvements* (up to 2 submissions)
Minor Site Plan/Subsequent Submissions	\$500	\$3,500 per subsequent submission (after second submission)

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FEE	CURRENT FEE	PROPOSED FEE
Minor Site Plan/Signature Set (NEW FEE)		\$2,500
Revised Lot Grading Plan, Per Lot	\$200	\$500
Site Plan Waiver, Per Submission	\$100	\$500
Public Improvements – Not Part of Subdivision Plat or Development Plan (includes front loaded inspection fees for Public Works and Utilities)*	1% of construction costs	\$7,500 plus 1.5% of construction costs plus percentage of proposed public improvements* (up to 2 submissions)
Public Improvements – Not Part of Subdivision Plat or Development Plan/Subsequent Submissions (NEW FEE)		\$5,000 per subsequent submission (after second submission)
Public Improvements – Not Part of Subdivision Plat or Development Plan/Signature Set (NEW FEE)		\$2,500
Rough Grading Plan	\$500 plus \$100 per disturbed acre	\$1,500 plus \$250 per disturbed acre
Floodplain Study	\$1,500 plus \$100 per cross section over 8	\$3,500 plus \$200 per cross section over 8 (up to 2 submissions)
Floodplain Study/Subsequent Submissions (NEW FEE)		\$1,500
Floodplain/Signature Sets (NEW FEE)		\$500
Floodplain Alteration Study	\$2,500 plus \$100 per cross section over 8	\$3,500 plus \$200 per cross section over 8 (up to 2 submissions)
Floodplain Alteration Study/Subsequent Submissions (NEW FEE)		\$1,500
Floodplain Alteration Study/Signature Set (NEW FEE)		\$500
Traffic Study	\$1,000	\$1,700
Subdivision and Land Development Regulation Variation Request per Code Section	\$300 per code section plus cost of advertisements	\$1,500 per code section plus cost of advertisements
DCSM Modification per Code Section Modified	\$250	\$1,250
Performance Bond Extension	\$300	\$500
Performance Bond Reduction	\$600	\$900
Performance Bond Release	\$600	\$1,800
Parking Lot Re-striping Plan (NEW FEE)		\$750
*Use the following to calculate amount to be added to determine the total submission fee based upon the amount of the project's proposed Public Improvements Inspection Fees.		
Storm Sewer	\$3.75 per linear foot	\$4.00 per linear foot
Water Main	\$1.75 per linear foot	\$1.90 per linear foot
Curb & Gutter	\$0.75 per linear foot	\$1.25 per linear foot

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FEE	CURRENT FEE	PROPOSED FEE
Sidewalk	\$1.35 per linear foot	\$1.50 per linear foot
Sanitary Sewer	\$2.00 per linear foot	\$2.15 per linear foot
Street	\$1.20 per linear foot	\$2.00 per linear foot
Overlot Grading	\$125.00 per lot	\$130.00 per lot
Other Major Utility Facilities	1% of construction cost	1.5% of construction cost
Land Use and Zoning Applications		
Rezoning	\$5,000 plus \$100 per acre	\$32,000 for more than 10 acres (first through third submissions) \$16,000 for up to 10 acres (first through third submissions) \$1,200 for each submission over three submissions
(NEW FEE)		
Concept Plan and/or Proffer Amendment (NEW FEE)		\$10,000
Special Exception	\$3,000 or \$1,000 per non-profit or \$500 for accessory to a dwelling	\$10,000 for buildings over 10,000 square feet (first through third submissions) \$7,500 for buildings up to 9,999 square feet (first through third submissions) \$1,200 for each submission over three submissions or \$1,000 for non-profits or \$500 for accessory structures to dwellings
(NEW FEE)		
Town Plan Amendment	\$2,000 plus the cost of advertising	\$5,600
Commission Permit Fee	\$500	\$1,000
Zoning Ordinance Modifications or Waivers per Code section modified (NEW FEE)		\$1,250
Zoning Ordinance Amendment (DELETE FEE)	\$5,000 plus cost of advertising	\$0

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SECTION 5. Certain miscellaneous Utility fees referenced in Town of Leesburg Resolutions 95-96 (Authorizing the Town Manager to Charge for Miscellaneous Fees and Changes of the Water and Sewer and Sewer System) adopted May 9, 1995 and 99-131 (Authorizing an Agreement for Construction Hydrant Meter Rental) adopted May 11, 1999, a November 1, 2002 memorandum approved by the Town Manager charging a fee for Tuscarora Landscaper's Choice (TLC), and revision and codifying other Utility fees to be incorporated into Section 34 of the Town Code.

FEE	CURRENT FEE	PROPOSED FEE
Private Pumpers (septage per 1,000 gallons)	\$40	\$50
Private Pump and Haul Contractors (per 1,000 gallons)	\$5	\$10
Imported Waste Activity Sludge (per 1,000 gallons)	\$30	\$50
Tanker Truck with Operator (per hour)	\$50	\$100
*TLC (25 pound bag)	\$3	\$4 plus \$10 for delivery
*TLC 50 pound bag	\$5	\$6 plus \$10 for delivery
*TLC (bulk by the ton)	\$50	\$70 plus \$20 for delivery
**Water or Sewer Model	\$175	\$250
***Late Hydrant Meter Report Charge – First Quarter	\$25	\$100
***Late Hydrant Meter Report Charge – Second Quarter	\$50	\$100
***Late Hydrant Meter Report Charge – Third Quarter	\$75	\$100
* November 1, 2002 Memorandum to Charge for TLC		
** Town of Leesburg Resolution 95-96		
*** Town of Leesburg Resolution 99-131		

SECTION 6. Appendix B (Fee Schedule) to the Town Code is amended to change the Right of Way permits fee (Section 30.2) from \$30 to \$100.

SECTION 7. Severability. If a court of competent jurisdiction declares any provision of this ordinance invalid, the decision shall not affect the validity of the ordinance as a whole or any remaining provisions of the Leesburg Town Code.

SECTION 8. This ordinance shall be effective February 1, 2011.

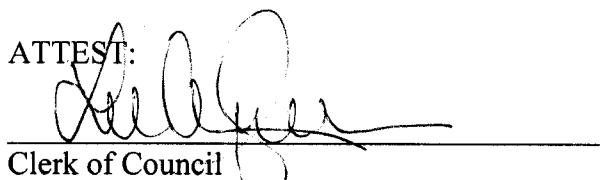
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SECTION 9. All prior ordinances in conflict herewith are hereby repealed.

PASSED this 30th day of November, 2010.


Kristen C. Umstated, Mayor
Town of Leesburg

ATTEST:


Clerk of Council