

ACTIONS Board of Supervisors Meeting of October 14, 2015		
		October 16, 2015
<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>	<u>PODCAST</u>
1. Call to Order. Meeting was called to order at 3:00 p.m., by the Chair, Ms. Dittmar. All BOS members were present. Also present were Tom Foley, Larry Davis, Ella Jordan and Travis Morris.		Listen
2. Joint Meeting with School Board: 2.a Total Compensation. 1. Compensation/Compression. 2. Healthcare/Disability Programs. HELD discussion and DEFERRED to November 11, 2015.		
3. Matters Not Listed on Agenda. There were none. Recess. At 4:30 p.m.		
4. Reconvene and Call to Order. At 6:00 p.m., the Board reconvened into open meeting.		Listen
7 Adoption of Final Agenda. By a vote of 6:0, ADOPTED final agenda.		
8. Brief Announcements by Board Members. <u>Brad Sheffield:</u> - Requested a discussion of traffic signal at Greenbrier and Hillsdales Drives at the end of the agenda. <u>Liz Palmer:</u> - Requested a discussion of bio-solids at the end of the agenda. <u>Ann Mallek:</u> - Announced that Charles “Mo” Stevens and Richard Martin had passed away. - Announced that she and several Supervisors attended the Transportation Boot Camp and that the next one will be held in January, 2016. - Provided update on VACO Agricultural Environment Committee meeting. - Announced that she had spoken with Delegate Landes about school bus ticketing and that legislation may be resubmitted through the Transportation or Education Committees. - Announced that Elliott Harding had spoken to her about the DNA Database and that legislation may need to be resubmitted again this year. <u>Jane Dittmar:</u> - Announced that John Bright, head of the North Downtown Neighborhood Association reached out to her about having a dialogue with the County on putting blue lights in the windows of the County Office Building to show support for area police.		
9. Proclamations and Recognitions:		

a. Recognition of Albemarle County's Submission for the 2015 Governor's Holiday Tree Ornament. - Recognized Lynn Ehart for her ornament design for the Governor's holiday tree. b. Proclamation recognizing October, 2015 as <i>Domestic Violence Awareness Month</i>. - Supervisors McKeel read proclamation. - By a vote of 6:0, ADOPTED proclamation.	(Attachment 1)	Listen
10. From the Public: Matters Not Listed for Public Hearing on the Agenda. Jessica Maslaney, Executive Director of Piedmont Family YMCA, provided update on the YMCA building construction and invited Board members to the upcoming ground breaking ceremony.		Listen
11.2 Transportation Alternatives Program (TAP) Grant, Moore's Creek Trail and Trailhead Park Project. ADOPTED, resolution endorsing the Moore's Creek Trail and Trailhead Park Project and supporting the application for Transportation Alternative Program (TAP) funds.	<u>Clerk:</u> Forward copy of signed resolution to Parks and Rec and County Attorney's office. (Attachment 2)	Listen
12. Pb. Hrg: Rivanna Water and Sewer Authority Deed of Easement. By a vote of 6:0, ADOPTED resolution to approve granting the proposed easement and to authorize the County Executive to execute any documents once approved by the County Attorney, to convey this proposed easement.	<u>Clerk:</u> Forward copy of signed resolution to County Attorney's office. (Attachment 3)	Listen
13. Pb. Hrg: PROJECT: SP-2015-00011. Montessori Community School (Signs 81 & 82). By a vote of 6:0, ADOPTED resolution to approve SP201500011 Montessori Community School of Charlottesville with the conditions.	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 4)	Listen
14. Pb. Hrg: PROJECT: SP-2014-00016. Canaan Christian Church (Sign 84). By a vote of 4:2, ADOPTED resolution to approve SP2014-016, Canaan Christian Church.	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 5)	Listen
15. Pb. Hrg: Community Development Fees: a. STA 2015-00002 Fees. b. ZTA 2015-000011 Fees. c. BTA-2015-00001. Building Fees. - By a vote of 5:1 (Boyd), APPROVED BTA2015-00001 as recommended by staff with an effective date of November 1, 2015. - By a vote of 5:1 (Boyd), APPROVED STA2015-00002 as recommended by staff with an effective date of November 1, 2015. - By a vote of 5:1 (Boyd), APPROVED ZTA-2015-00011 as recommended by staff with an effective date of November 1, 2015.	<u>Clerk:</u> Forward copy of signed ordinances to Community Development and County Attorney's office. (Attachment 6)	Listen
16. Dominion Virginia Power: Smart Metering. RECEIVED.		Listen
17. From the Board: Matters Not Listed on the Agenda. <u>Brad Sheffield:</u>		

• Provided update on the proposed signal at Greenbrier and Hillsdale Drives. <u>Liz Palmer:</u> • Updated Board on bio-solids being used in a serious floodplain along the James River in the Samuel Miller District. <u>Jane Dittmar:</u> • Announced that she along with Supervisor Palmer, the County Executive and the Director of Community Development met with the City and had a productive meeting. Further information will be forthcoming.	<u>Clerk:</u> Schedule on November 4, agenda.	Listen
18. From the County Executive: Report on Matters Not Listed on the Agenda. • There were none.		
19 Adjourn. • With no further business to come before the Board the meeting was adjourned at 8:55 p.m.		

ewj/tom

Attachment 1 – Proclamation recognizing Domestic Violence Awareness Month

Attachment 2 – Resolution Endorsing the Moore's Creek Trail and Trailhead Park Project and Supporting the Application for Transportation Alternative Program (TAP) Funds

Attachment 3 – Resolution Approving Deed of Easement between the County of Albemarle, the City of Charlottesville, and the Rivanna Water and Sewer Authority

Attachment 4 – Resolution to Approve SP 2015-11 Montessori Community School

Attachment 5 – Resolution to Approve SP 2015-16 Canaan Christian Church

Attachment 6 – Ordinance No. 15-5(1), Ordinance No. 15-14(1) and Ordinance No. 15-18(8)

PROCLAMATION

WHEREAS, the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial and societal barriers, and are supported by societal indifference; and

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse, with the impact of this crime being wide-ranging; and

WHEREAS, no one person, organization, agency or community can eliminate domestic violence on their own—we must work together to educate our entire population about what can be done to prevent such violence, support victims/survivors and their families, and increase support for agencies providing services to those community members; and

WHEREAS, the Shelter for Help in Emergency has led the way in the County of Albemarle in addressing domestic violence by providing 24-hour hotline services to victims/survivors and their families, offering support and information, and empowering survivors to chart their own course for healing; and

WHEREAS, the Shelter for Help in Emergency commemorates its 36th year of providing unparalleled services to women, children and men who have been victimized by domestic violence;

NOW THEREFORE, BE IT RESOLVED, in recognition of the important work being done by the Shelter for Help in Emergency, that I, Jane D. Dittmar, Chair of the Albemarle County Board of Supervisors, do hereby proclaim the month of

**October 2015
as
DOMESTIC VIOLENCE AWARENESS MONTH**

and urge all citizens to actively participate in the scheduled activities and programs sponsored by the Shelter for Help in Emergency, and to work toward the elimination of personal and institutional violence against women, children and men.

**RESOLUTION ENDORSING THE MOORE’S CREEK TRAIL
AND TRAILHEAD PARK PROJECT
AND SUPPORTING THE APPLICATION FOR
TRANSPORTATION ALTERNATIVE PROGRAM (TAP) FUNDS**

WHEREAS, the Fifth Street Station Development proposes intersection, bridge and road connections creating bicycle access from Fifth Street to Avon Street, as well as dedicated land and a cash proffer for a multi-use trail, bridge, and node; and

WHEREAS, Albemarle County’s Comprehensive Plan includes a joint goal with the City of Charlottesville to create dedicated bike-pedestrian connections across physical barriers within the community; and

WHEREAS, the Thomas Jefferson Planning District Commission (TJPDC) has agreed to sponsor and provide project management for a Moore’s Creek Trail and Trailhead Park Project (the “Project”), which will include the design of the multi-use trail, bridge, and node, and the design and construction of additional multi-use trails to provide bicycle route connections as envisioned by the Fifth Street Station Development and supported by the Comprehensive Plan.

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of the County of Albemarle, Virginia, that it hereby endorses the Moore’s Creek Trail and Trailhead Park Project and supports an application for Transportation Alternative Program Funds for this project.

BE IT FURTHER RESOLVED, that the Board authorizes the value of the dedicated land and the cash proffer to be used as the local match for the grant, with the proffer funds dedicated to the construction of the elements described in the proffer.

BE IT FURTHER RESOLVED, that the County will be responsible for the maintenance and operating costs of facilities constructed on County property with Transportation Alternatives Program funds.

**RESOLUTION APPROVING DEED OF EASEMENT BETWEEN
THE COUNTY OF ALBEMARLE, THE CITY OF CHARLOTTESVILLE, AND THE RIVANNA WATER AND
SEWER AUTHORITY**

WHEREAS, the County of Albemarle and the City of Charlottesville jointly own Parcel 06200-00-00-02300 (the "Property"); and

WHEREAS, the Rivanna Water and Sewer Authority (the "RWSA") has a permanent water line easement on the Property; and

WHEREAS, an additional water line easement along an approximate 61 foot segment of the existing water line easement is necessary for the RWSA to install a metering device to monitor water distribution to the County and the City.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves the granting of the proposed water line easement to the Rivanna Water and Sewer Authority on Parcel 06200-00-00-02300, and authorizes the County Executive to sign any documents, once approved by the County Attorney, necessary to convey this easement to the RWSA for the purpose of installing a metering device.

**RESOLUTION TO APPROVE
SP 2015-11 MONTESSORI COMMUNITY SCHOOL**

WHEREAS, the Montessori Community School of Charlottesville is the record owner (the “Owner”) of Tax Map and Parcel Numbers 07800-00-00-012A0 and 07800-00-00-011B0 (the “Property”); and

WHEREAS, the Montessori Community School was located at the Pantops Mountain location in 1991, and the Board subsequently approved a series of special use permits and amendments thereto including, but not limited to a special use permit to allow the school to expand (SP1999-04), a special use permit to amend SP 99-04 to allow the replacement of modular trailers with permanent buildings for 40,700 square feet of building area (SP2006-38), a special use permit to extend the approval of SP2006-38 (SP 2009-01), and a special use permit to amend the special use permit conditions regarding fencing and the construction of proposed buildings (SP 2014-02); and

WHEREAS, the Owner has now submitted an application for a special use permit to amend SP 2006-38 and SP 2009-01 to revise the site layout, concept plan and conditions, and the application is identified as Special Use Permit 2015-00011 Montessori Community School (“SP 2015-11”); and

WHEREAS, on September 1, 2015, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2015-11 with conditions recommended by staff; and

WHEREAS, on October 14, 2015, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2015-11.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for SP 2015-11 and all of its attachments, the information presented at the public hearing, and the factors relevant to a special use permit in Albemarle County Code §§ 18-23.2.2 (6) and 18-33.8, the Albemarle County Board of Supervisors hereby approves SP 2015-11, subject to the conditions attached hereto.

SP-2015-11 Montessori Community School Conditions

1. Enrollment shall not exceed three hundred (300) students;
2. Development of the use shall be in general accord with the “Mountaintop Montessori School, Sheet 2, entitled Master Plan”, prepared by Water Street Studio, dated February 17, 2015, revised June 15, 2015, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the plan, development shall reflect the general size, arrangement, and location of buildings, the Amphitheatre, playgrounds and ball fields, wooded natural area, and parking areas. Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance; and
3. Construction of any improvement shown on the “Master Plan” referenced in Condition 2 above shall commence by October 14, 2018 or this special use permit shall expire.

**RESOLUTION TO APPROVE
SP 2014-16 CANAAN CHRISTIAN CHURCH**

WHEREAS, the Canaan Christian Center (the "Owner") is the record owner of Tax Map and Parcel Number 08000-00-00-02100 (the "Property"); and

WHEREAS, the Owner filed an application in 2002 for a special use permit to build a church (SP2002-056), which was approved by the Board in June 2003, but the Owner did not commence the use within the five year timeline due to financial constraints; and

WHEREAS, the Owner filed a second application to build a church with a 150-seat sanctuary and 50 gravel parking spaces on the Property, and the application is identified as Special Use Permit 2014-00016 Canaan Christian Church ("SP 2014-16"); and

WHEREAS, the proposed use is allowed on the Property by special use permit under Albemarle County Code § 18-10.2.2(35); and

WHEREAS, on September 1, 2015, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2014-16 with modified conditions, including a new condition prohibiting all outdoor lighting; and

WHEREAS, on October 14, 2015, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2014-16.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the Transmittal Report prepared for SP 2014-16 and all of its attachments, including staff's expressed concerns about prohibiting all outdoor lighting if the church holds evening events and activities, the information presented at the public hearing, and the factors relevant to a special use permit in Albemarle County Code § 18-33.8, the Albemarle County Board of Supervisors hereby approves SP 2014-16, subject to the conditions attached hereto.

SP-2014-00016 Canaan Christian Church Conditions

1. Development and use shall be in general accord with the conceptual plan titled "Special Use Permit SP2014-016 Canaan Christian Church" prepared by Williams Enterprises Incorporated Land Development Design and dated June 2015 (hereafter "Conceptual Plan"), as determined by the Director of Planning and the Zoning Administrator. To be in accord with the Conceptual Plan, development and use shall reflect the following major elements within the development essential to the design of the development, as shown on the Conceptual Plan:
 - a. *location of buildings and structures*
 - b. *location of parking areas*
 - c. *location of entrance*
 - d. *landscape screening*
 - e. *wooded area to the west of the church*

Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.

2. The area of assembly shall be limited to a maximum of one hundred fifty (150) seat sanctuary;
3. There shall be no day care center or private school on the site without approval of a separate special use permit;
4. Health Department approval of a well and septic system shall be required prior to the issuance of a building permit;
5. Commercial setback standards, as set forth in Section 21.7 of the Zoning Ordinance, shall be

- maintained adjacent to residential uses or other Rural Area zoned property;
6. Screening in accordance with Section 32.7.9.7 shall be provided along the tree line on the west/rear of the property to screen the parking and church from the adjacent property;
 7. Right of way dedication of thirty (30) feet from the existing centerline of Hacktown Road (Route 744) along the entire property frontage shall be required prior to the issuance of a building permit.
 8. The use shall commence on or before five (5) years from Board approval or the permit shall expire and be of no effect;
 9. The outside play area activities shall be limited to only take place during daytime hours. Lighting of the play area shall not be permitted. The play area shall be located as far away as possible from the adjacent residential properties, but in no case shall the play area be located closer than seventy-five (75) feet from any adjacent property line. The outside play area location shall be depicted on the site plan.
 10. Outdoor amplified sound shall not be permitted.
 11. All outdoor lighting shall be only full cut off fixtures and shielded to reflect light away from all abutting properties. A lighting plan limiting light levels at all property lines to no greater than 0.3 foot candles shall be submitted to the Zoning Administrator or their designee for approval.

ORDINANCE NO. 15-5(1)

AN ORDINANCE TO AMEND CHAPTER 5, BUILDING REGULATIONS, ARTICLE II, FEES, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 5, Building Regulations, Article II, Fees, is hereby amended and reordained as follows:

By Amending:

Sec. 5-201	Fees for building permits
Sec. 5-202	Fees for electrical permits
Sec. 5-203	Fees for plumbing permits
Sec. 5-204	Fees for mechanical permits
Sec. 5-205	Fees for amusement devices
Sec. 5-206	Fee for demolition permits
Sec. 5-207	Fees for zoning inspections
Sec. 5-208	Fees for other permits, plan amendments and reinspections

Article II. Fees**Sec. 5-201 Fees for building permits.**

The fees for building permits are hereby established as provided herein:

- A. *Residential structures in use groups R-3 and R-5.* The fee for each new structure in use group R-3 or R-5 (one- and two-family dwellings) other than a garage, deck or porch, or for an addition to an existing residential structure in either such use group, shall be \$0.53 per square foot, calculated on gross finished square footage. The minimum fee shall be \$80.00.
- B. *Accessory residential structures.* The fee for each residential attached garage, detached garage, shed, or deck or porch ten square feet or larger, shall be \$0.16 per square foot, calculated on gross finished square footage. The minimum fee shall be \$27.00.
- C. *Residential swimming pools, hot tubs and spas.* The fee for each residential swimming pool, hot tub or spa shall be \$54.00.
- D. *Mobile homes and prefabricated homes.* The fee for each mobile home or prefabricated home shall be \$48.00.
- E. *New commercial structures in various use groups.* The fee for each new structure in use group A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H-1, H-2, H-3, H-4, H-5, I-1, I-2, I-3, I-4, M, R-1, R-2, R-4, S-1, S-2, or U, or an addition to an existing commercial structure in any such use group, shall be \$0.22 per square foot for the first 5,000 square feet, plus \$0.15 per square foot for each square foot in excess of 5,000 square feet, calculated on gross square footage. The minimum fee shall be \$80.00.
- F. *Change of building occupancy classification.* The fee for a change of occupancy classification evaluation shall be \$161.00.
- G. *Commercial swimming pools.* The fee for each commercial swimming pool shall be \$328.00.
- H. *Elevators, escalators and lifts.* The fee for each elevator, escalator or lift shall be \$258.00.
- I. *Paint spraying booths.* The fee for each paint spraying booth shall be \$27.00.
- J. *Mobile offices and premanufactured units.* The fee for each mobile office or premanufactured unit shall be \$48.00.
- K. *Tents.* The fee for each tent shall be \$54.00.

- L. *Alterations and repairs of structures in all use groups.* The fee for an alteration or repair of a structure in any use group shall be \$0.18 per square foot of floor area affected, provided that there is no increase in gross square footage. The minimum fee shall be \$80.00.

(§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; Ord. 98-A(1), 8-5-98; Ord. 08-5(1), 8-6-08)

State law reference--Va. Code § 36-105.

Sec. 5-202 Fees for electrical permits.

The fees for electrical permits are hereby established as provided herein:

- A. *Residential structures in use groups R-3 and R-5.* The fee for each new structure in use group R-3 or R-5 (one- and two-family dwellings) other than a garage, deck or porch, or for an addition to an existing residential structure in either such use group, shall be included as part of the building permit fee under section 5-201(A).
- B. *Accessory residential structures.* The fee for each residential attached garage, detached garage, shed, or deck or porch ten square feet or larger, shall be \$32.00.
- C. *Mobile homes and prefabricated homes.* The fee for each mobile home or prefabricated home shall be \$32.00.
- D. *Commercial structures in various use groups.* The fee for each new structure in use group A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H-1, H-2, H-3, H-4, H-5, I-1, I-2, I-3, I-4, M, R-1, R-2, R-4, S-1, S-2, or U, or an addition to an existing commercial structure in any such use group, shall be \$0.04 per square foot. The minimum fee shall be \$80.00.
- E. *Swimming pools, hot tubs and spas.* The bonding fee for each swimming pool, hot tub or spa shall be \$32.00. The equipment wiring fee for each swimming pool, hot tub or spa shall be \$32.00.
- F. *Alterations and repairs of structures in all use groups.* The fee for an alteration or repair of a structure in any use group shall be \$0.04 per square foot of floor area affected, provided that there is no increase in gross square footage. The minimum fee shall be \$80.00.
- G. *Signs.* The fee for each sign shall be \$48.00.
- H. *Temporary service.* The fee for each temporary electric service shall be \$102.00, unless the service is sought as part of a building permit for which a fee is paid under section 5-201(A).
- I. *Early service.* The fee for each early electric service shall be \$65.00, unless the service is sought as part of a building permit for which a fee is paid under section 5-201(A).
- J. *Fuel dispensing pumps.* The fee for each fuel dispensing pump shall be \$32.00.
- K. *Alarm systems.* The fee for each alarm system shall be \$0.04 per square foot of the gross square footage of the structure. The minimum fee shall be \$80.00.

(§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; Ord. 98-A(1), 8-5-98; Ord. 08-5(1), 8-6-08)

Sec. 5-203 Fees for plumbing permits.

The fees for plumbing permits are hereby established as provided herein:

- A. *Residential structures in use groups R-3 and R-5.* The fee for each new structure in use group R-3 or R-5 (one- and two-family dwellings), or for an addition to an existing residential structure in either such use group, shall be included as part of the building permit fee under section 5-201(A).
- B. *Mobile homes and prefabricated homes.* The fee for each mobile home or prefabricated home shall be \$32.00.
- C. *Commercial structures in various use groups.* The fee for each new structure in use group A-1, A-2, A-3, A-4, A-5, B, E, F, H-1, H-2, H-3, H-4, H-5, I-1, I-2, I-3, I-4, M, R-1, R-2, R-4, S-1, S-2, U, or an addition to an existing commercial structure in any such use group, shall be \$9.00 per fixture. The minimum fee shall be \$80.00.
- D. *Alterations and repairs of structures in all use groups.* The fee for an alteration or repair of a structure in any use group shall be \$9.00 per fixture, provided that there is no increase in gross square footage. The minimum fee shall be \$80.00.
- E. *Water lines.* The fee for each water line shall be \$27.00, unless the lines are included as part of a building permit for which a fee is paid under section 5-201(A).
- F. *Sewer laterals.* The fee for each sewer lateral shall be \$27.00, unless the lateral is included as part of a building permit for which a fee is paid under section 5-201(A).
- G. *Fire suppression systems.* The fee for each fire suppression system shall be \$0.86 per head. The minimum fee shall be \$80.00.

(§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; Ord. 98-A(1), 8-5-98; Ord. 08-5(1), 8-6-08)

State law reference--Va. Code § 36-105.

Sec. 5-204 Fees for mechanical permits.

The fees for mechanical permits are hereby established as provided herein:

- A. *Residential structures in use groups R-3 and R-5.* The fee for each new structure in use group R-3 or R-5 (one- and two-family dwellings), or for an addition to an existing residential structure in either such use group, shall be included as part of the building permit fee under section 5-201(A).
- B. *Mobile homes and prefabricated homes.* The fee for each mobile home or prefabricated home shall be \$32.00.
- C. *Commercial structures in various use groups.* The fee for each new structure in use group A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H-1, H-2, H-3, H-4, H-5, I-1, I-2, I-3, I-4, M, R-1, R-2, R-4, S-1, S-2, or U, or an addition to an existing commercial structure in any such use group, shall be \$0.04 per square foot of gross square footage. The minimum fee shall be \$80.00.
- D. *Alterations and repairs of structures in all use groups.* The fee for an alteration or repair of a structure in any use group shall be \$0.04 per square foot of gross square footage, provided that there is no increase in gross square footage. The minimum fee shall be \$80.00.
- E. *Underground tanks.* The fee for each underground tank, including associated piping, shall be \$183.00, unless the tanks are included as part of a building permit for which a fee is paid under section 5-201(A).
- F. *Aboveground tanks.* The fee for each aboveground tank, including associated piping, shall be \$108.00, unless the tanks are included as part of a building permit for which a fee is paid under section 5-201(A).

- G. *Gas and oil lines.* The fee for each gas or oil line shall be \$38.00, unless the lines are included as part of a building permit for which a fee is paid under section 5-201(A).
- H. *Furnaces, wood stoves and gas log systems.* The fee for each furnace, wood stove or gas log system shall be \$70.00, unless the furnace, stove or gas log system is included as part of a building permit for which a fee is paid under section 5-201(A).
- I. *Range hoods.* The fee for each range hood shall be \$27.00.
- J. *Hood suppression systems.* The fee for each hood suppression system shall be \$32.00.

(§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; Ord. 98-A(1), 8-5-98; Ord. 08-5(1), 8-6-08)

State law reference--Va. Code § 36-105.

Sec. 5-205 Fees for amusement devices.

The fees for amusement devices are hereby established as provided herein:

- A. *Kiddie rides.* The fee for each kiddie ride shall be \$16.00.
- B. *Major rides.* The fee for each major ride shall be \$27.00.
- C. *Spectacular rides.* The fee for each spectacular ride shall be \$43.00.

(§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; Ord. 98-A(1), 8-5-98)

State law reference--Va. Code § 36-105.

Sec. 5-206 Fee for demolition permits.

The fee for each demolition permit shall be \$102.00.

(§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; Ord. 98-A(1), 8-5-98; Ord. 08-5(1), 8-6-08)

State law reference--Va. Code § 36-105.

Sec. 5-207 Fees for zoning inspections.

The fees for inspections to determine compliance with the zoning ordinance are hereby established as provided herein:

- A. *Initial zoning inspection.* The fee for each inspection related to the issuance of a building permit for main or accessory structures shall be \$16.00 per inspection.
- B. *Final site inspection.* The fee for each final site inspection before a certificate of occupancy may be issued shall be \$16.00 per inspection.

(§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; Ord. 98-A(1), 8-5-98; Ord. 08-5(1), 8-6-08)

Sec. 5-208 Fees for other permits, plan amendments, and reinspections.

The fees for other permits, plan amendments, and reinspections are established as provided herein:

- A. *Other permits.* The fees for any other building, electrical, plumbing, mechanical, or amusement device permit not identified in this article shall be \$32.00 per inspection.

- B. *Plan amendments.* The fee for each new plan submitted which requires any structural or fire safety review shall be \$32.00.
- C. *Reinspections.* The fee for each inspection of work performed, after the second inspection of such work, shall be \$32.00 per inspection.

(§ 5-3; 10-18-73, § 6-3; 3-21-74; 10-17-74; 10-4-78; 4-17-85; 7-13-88; 6-7-89; Res. of 9-6-95; Code 1988, § 5-3; Ord. 98-A(1), 8-5-98; Ord. 08-5(1), 8-6-08)

State law reference--Va. Code § 36-105.

This Ordinance shall be effective on and after November 1, 2015.

ORDINANCE NO. 15-14(1)

AN ORDINANCE TO AMEND CHAPTER 14, SUBDIVISION OF LAND, ARTICLE II, ADMINISTRATION AND PROCEDURE, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 14, Subdivision of Land, Article II, Administration and Procedure, is hereby amended and reordained as follows:

By Amending:

Sec. 14-203 Fees

Article II. Administration and Procedure

Sec. 14-203 Fees

Each subdivider shall pay a fee upon the submittal of a plat or other application, based on the schedule below; provided that neither the county nor the county school board shall be required to pay any fee if it is the applicant. Except as provided in subsection (H)(7), the fee shall be in the form of cash or a check payable to the "County of Albemarle."

A. Preliminary plat:

1. If subject to review by the agent:
 - (a) Two-lot subdivision as described in section 14-232(B)(2) or if all lots front on an existing public street \$269.00.
 - (b) 1 to 9 lots: \$1236.00.
 - (c) 10 to 19 lots: \$1,236.00.
 - (d) 20 or more lots: \$1,236.00.
2. Reinstatement of review: \$559.00.
3. Each filing of a preliminary plat, whether or not a preliminary plat for the same property has been filed previously: The applicable preliminary plat fee.

B. Final plat:

1. If subject to review by the agent:
 - (a) Two-lot subdivision as described in section 14-232(B)(2) or if all lots front on an existing public street: \$581.00.
 - (b) 1 to 9 lots: \$1,075.00.
 - (c) 10 to 19 lots: \$1,182.00.
 - (d) 20 or more lots: \$1,322.00.
2. Condominium plat: \$108.00.
3. Reinstatement of review: \$559.00.

C. Other subdivision plats:

1. Plat for a rural subdivision, family subdivision, or resubdivision: \$742.00.
2. Plat for a boundary line adjustment: \$215.00.
3. Plat creating one or more special lots and one residue lot: \$95.00.
4. Plat for subdivision following final site plan approval:
 - (a) 1 to 9 lots: \$1,075.00.
 - (b) 10 to 19 lots: \$1,182.00.
 - (c) 20 or more lots: \$1,322.00.

D. Easement plat or plats, per easement:

1. Easement plat(s) without a deed: \$527.00.
2. Easement plat(s) with a deed: \$817.00.
3. Easement plat(s) required with a site plan: \$215.00.
4. Easement plat(s) amending a previously approved easement plat(s): \$215.00.

E. Streets:

1. Public road plans: \$269.00 for each review of a submitted plan, including reviews of revisions after plan approval.
2. Private road plans: \$430.00 for each review of a submitted plan, including reviews of revisions after plan approval.
3. Authorization for one or more private streets within a subdivision filed separately from a subdivision application: \$720.00.
4. Variation to or exception from one or more street standards before approval of a preliminary plat under section 14-203.1: \$581.00.
5. Variation to or exception from curb and/or gutter requirements before approval of a preliminary plat under section 14-203.1: \$581.00.
6. Variation to or exception from street interconnection requirements before approval of a preliminary plat under section 14-203.1: \$581.00.
7. If required to construct a street, the subdivider shall pay to the county a fee equal to the cost of the inspection of the construction of any such street. These fees shall be paid prior to completion of all necessary inspections and shall be deemed a part of the cost of construction of the street for purposes of section 14-435(B).

F. Bonds:

1. Bond estimate request for subdivision improvements: \$269.00.
2. Bonding inspection for a plat or bond reduction: \$269.00.

G. Groundwater assessment information required by section 14-308.1:

1. Tier 1 assessment under section 17-1001: \$54.00.
2. Tier 2 assessment under section 17-1002: \$355.00.
3. Tier 3 assessment under section 17-1003: \$548.00.
4. Tier 4 assessment under section 17-1004: \$1,183.00.

H. Other matters subject to review:

1. Variation or exception under section 14-203.1 before approval of a final plat, not provided for under subsections (E)(4), (5), or (6): \$892.00.
2. Variation or exception under section 14-203.1 after approval of a final plat, not provided under subsections (E)(4), (5), or (6): \$892.00.
3. Relief from plat conditions imposed by the commission prior to the date of adoption of this chapter: \$419.00.
4. Appeal of a plat decision to the board of supervisors: \$290.00.
5. Extension of a plat approval: \$129.00.
6. Vacation of a plat or part thereof: \$258.00.
7. Dam break inundation zones; administrative fee as required by section 14-441: One percent of the total amount of payment required by section 14-441 or one thousand dollars (\$1,000.00), whichever is less. (Payment made to the Dam Safety, Flood Prevention and Protection Assistance Fund held by the Virginia Resources Authority).

I. Notices as required by section 14-218:

1. Preparing and mailing or delivering up to fifty (50) notices: \$215.00.
2. Preparing and mailing or delivering, per notice more than fifty (50): \$1.08 plus the actual cost of first class postage.

(§ 3, 8-28-74; 11-10-76; 3-2-77; 12-14-77; 12-1-82; 4-17-85; 6-7-89; 12-11-91; § 18-43, 9-5-96; § 14-203, Ord. 98-A(1), 8-5-98; Ord. 99-14(1), 6-16-99; Ord. 02-14(2), 7-3-02; Ord. 04-14(1), adopted 12-8-04, effective 2-8-05; Ord. 05-14(1), 4-20-05, effective 6-20-05; Ord. 09-14(1), 5-13-09, effective 10-1-09; Ord. 11-14(1), 6-1-11; Ord. 13-14(1), 12-4-13, effective 1-1-14)

State law reference--Va. Code § 15.2-2241(9).

This Ordinance shall be effective on and after November 1, 2015.

ORDINANCE NO. 15-18(8)

AN ORDINANCE TO AMEND CHAPTER 18, ZONING, ARTICLE IV, PROCEDURE, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 18, Zoning, Article IV, Procedure, is hereby amended and reordained as follows:

By Amending:

- Sec. 35.1 Fees
- Sec. 35.2 Calculation of fees in special circumstances

By Amending and Renumbering:

- Old New
- Sec. 35.3 Sec. 35.4 Fee refunds

By Adding:

- Sec. 35.3 Mode and timing for paying fees

Article IV. Procedure

Section 35

Fees

Sec. 35.1 Fees

Each applicant shall pay the following applicable fees, provided that neither the county nor the county school board shall be required to pay any fee if it is the applicant:

- a. Zoning text amendments: \$1,075.00
- b. Zoning map amendments:
 - 1. Less than 50 acres; application and first resubmission: \$2,688.00
 - 2. Less than 50 acres; each additional resubmission: \$1,344.00
 - 3. 50 acres or greater; application and first resubmission: \$3,763.00
 - 4. 50 acres or greater; each additional resubmission: \$1,881.00
 - 5. Deferral of scheduled public hearing at applicant's request: \$194.00
 - 6. Amendments submitted under section 30.7.6: (i) because the slopes are not steep slopes: no fee; (ii) to change any slope's designation from preserved to managed or to remove steep slopes from the steep slopes overlay district: any application fee under subsections (b)(1) through (5).
- c. Special use permits:
 - 1. Additional lots under section 10.5.2.1, public utilities, day care center, home occupation Class B, to amend existing special use permit, or to extend existing special use permit; application and first resubmission: \$1,075.00
 - 2. Additional lots under section 10.5.2.1, public utilities, day care center, home occupation class B, to amend existing special use permit, or to extend existing special use permit; each additional resubmission: \$538.00
 - 3. Signs reviewed by the board of zoning appeals: See subsection 35.1(f)
 - 4. All other special use permits; application and first resubmission: \$2,150.00
 - 5. All other special use permits; each additional resubmission: \$1,075.00
 - 6. Deferral of scheduled public hearing at applicant's request: \$194.00
 - 7. Farmers' markets without an existing commercial entrance approved by the Virginia Department of Transportation or without existing and adequate parking - \$527.00
 - 8. Farmers' markets with an existing commercial entrance approved by the Virginia Department of Transportation and with existing and adequate parking - \$118.00

- d. Site plans:
 - 1. Initial site plans: \$1,290.00 plus \$16 per dwelling unit and \$0.016 per square foot of nonresidential structure; the fee paid for preapplication plans shall be applied to the fee for initial site plans
 - 2. Preapplication plans: \$538.00
 - 3. Final site plans: \$1,613.00
 - 4. Exception to drawing of site plan under section 32.3.5(a): \$1,613.00
 - 5. Site plan amendments under section 32.3.3(b): \$538.00 (minor); \$108.00 (letter of revision)
 - 6. Site plan amendments under section 32.3.3(b) (major): \$1,613.00
 - 7. Appeals under section 32.4.2.6: \$258.00
 - 8. Reinstatement of review under sections 32.4.2.1(d) and 32.4.3.1(e): \$258.00
 - 9. Reinstatement of review under section 32.4.2.5(e): \$86.00
 - 10. Extension of period of validity: \$511.00
 - 11. Inspections pertaining to secured site plan improvements; per inspection: \$301.00
 - 12. Deferral of scheduled public meeting at applicant's request: \$194.00
 - 13. Dam break inundation zones; administrative fee as required by section 32.8.6: One percent of the total amount of payment required by section 32.8.6 or one thousand dollars (\$1,000.00, whichever is less. (Payment made to the Dam Safety, Flood Prevention and Protection Assistance Fund held by the Virginia Resources Authority).
- e. Certificates of appropriateness considered by the architectural review board ("ARB"):
 - 1. For a site plan; per review by the ARB: \$1,075.00
 - 2. For a building permit; per review by the ARB: \$634.00
 - 3. Amendment to approved certificate of appropriateness: \$242.00
- f. Matters considered by the board of zoning appeals:
 - 1. Variances: \$538.00
 - 2. Appeals: \$258.00
 - 3. Special use permits for signs under sections 4.15.5 and 4.15.5A: \$538.00
 - 4. Interpreting a district map: \$258.00
- g. Matters considered by the zoning administrator or other officials:
 - 1. Official determinations regarding compliance: \$199.00
 - 2. All other official determinations, including development rights: \$108.00
 - 3. Zoning clearance for tourist lodging: \$108.00
 - 4. Zoning clearance for a home occupation, class A, a major home occupation, or a minor home occupation: \$27.00
 - 5. Zoning clearance for temporary fundraising activity: No fee
 - 6. All other zoning clearances: \$54.00
 - 7. Sign permits under section 4.15.4A; no ARB review required: \$27.00, except for applications for temporary signs submitted under section 4.15.4A(c)(2)(b) or (c)(2)(c), for which there shall be no fee.
 - 8. Sign permits under section 4.15.4; ARB review required: \$129.00
 - 9. Letter of Map Change review: \$161.00 (topographic plan only); \$323.00 (topographic plan with floodplain model)
 - 10. Floodplain Impact Plan review: \$323.00
 - 11. Variation or exception under section 32.3.5 before approval of a final site plan: \$892.00
 - 12. Variation or exception under section 32.3.5 after approval of a final site plan: \$892.00
- h. Groundwater assessments:
 - 1. Tier 1 assessment under section 17-1001: \$54.00
 - 2. Tier 3 assessment under section 17-1003: \$548.00
 - 3. Tier 4 assessment under section 17-1004: \$1,183.00
- i. Miscellaneous:
 - 1. Change in name of development or change in name of street: \$86.00
 - 2. Special exception: \$457.00
 - 3. Tier II personal wireless service facilities: \$1,957.00

j. Required notice:

1. Preparing and mailing or delivering up to fifty (50) notices: \$215.00, except for uses under sections 5.1.47 and 5.2A, or applications submitted under section 30.7.6, for which there shall be no fee.
2. Preparing and mailing or delivering, per notice more than fifty (50): \$1.08 plus the actual cost of first class postage. No fee shall be required for applications submitted under section 30.7.6.
3. Published notice: cost based on a cost quote from the publisher, except for farmers' markets under section 35.1(c)(7) and (8), or applications submitted under section 30.7.6, for which there shall be no fee.

(Amended 5- 5-82; 9-1-85; 7-1-87; 6-7-89; 12-11-91 to be effective 4-1-92; 7- 8-92; Ord. 10-18(7), adopted 8-4-10, effective 1-1-11; Ord. 11-18(1), 1-12-11; Ord. 11-18(7), 6-1-11; Ord. 12-18(6), 10-3-12, effective 1-1-13; Ord. 12-18(7), 12-5-12, effective 4-1-13; Ord. 13-18(7), 12-4-13, effective 1-1-14; Ord. 14-18(1), 3-5-14; Ord. 14-18(2), 3-5-14)

State law reference – Va. Code §§ 15.2-2286(A)(6), 15.2-2241(9), 15.2-2243.1.

Sec. 35.2 Calculation of fees in special circumstances

In the special circumstances provided below, the fee required by section 35.1 shall be calculated as follows:

- a. *Simultaneous review of zoning map amendment or special use permit and supporting initial site plan or preliminary subdivision plat.* If a zoning map amendment or special use permit is being simultaneously reviewed with a supporting initial site plan or preliminary subdivision plat, the applicant shall pay the fee for the zoning map amendment or the special use permit, but not the fee for the initial site plan or preliminary subdivision plat.
- b. *Multiple special use permits to establish a single use.* If multiple special use permits are required to establish a single use, the applicant shall pay only the largest single fee for a special use permit for all of the special use permit applications.

(§ 35.0, 12-10-80; 5-5-82; 9-1-85; 7-1-87; 6-7-89; 12-11-91 to be effective 4-1-92; 7- 8-92; * to be effective 1-1-94; Ord. 02-18(4), 7-3-02; Ord. 04-18(3), 10-13-04; Ord. 04-18(4), adopted 12-8-04, effective 2-8-05; Ord. 10-18(7), adopted 8-4-10, effective 1-1-11; Ord. 12-18(6), 10-3-12, effective 1-1-13)

State law reference – Va. Code §§ 15.2-2286(A)(4), 15.2-2286(A)(6), 15.2-2241(9).

Sec. 35.3 Mode and timing for paying fees

The fees required by sections 35.1 and 35.2 shall be paid as follows:

- a. *Mode of payment.* Except as provided in section 35.1(d)(13), the fee shall be in the form of cash or a check payable to the "County of Albemarle."
- b. *Timing of payment.* Except as provided in sections 33.4(g), 34.4(e), 34.5(e), and 34.6(e), the applicant shall pay any applicable fees when the application is submitted. An application presented without the required fee shall not be deemed to be submitted and shall not be processed.

(§ 35.1: Amended 5- 5-82; 9-1-85; 7-1-87; 6-7-89; 12-11-91 to be effective 4-1-92; 7- 8-92; Ord. 10-18(7), adopted 8-4-10, effective 1-1-11; Ord. 11-18(1), 1-12-11; Ord. 11-18(7), 6-1-11; Ord. 12-18(6), 10-3-12, effective 1-1-13; Ord. 12-18(7), 12-5-12, effective 4-1-13; Ord. 13-18(7), 12-4-13, effective 1-1-14; Ord. 14-18(1), 3-5-14; Ord. 14-18(2), 3-5-14)

State law reference – Va. Code §§ 15.2-2286(A)(4), 15.2-2286(A)(6), 15.2-2241(9).

Sec. 35.4 Fee refunds

If the zoning administrator determines after a fee required by section 35.1 has been paid that the review and approval to which the fee pertains is not required to establish the use or structure, the fee shall be refunded to the applicant in full.

(Ord. 10-18(7), adopted 8-4-10, effective 1-1-11)

State law reference – Va. Code §§ 15.2-2286(A)(4), 15.2-2286(A)(6), 15.2-2241(9).

This Ordinance shall be effective on and after November 1, 2015.