AGENDA DATE: 3/1/2023

TITLE:
Resolution of Intent for Community Development Department Fees Structure Update

SUBJECT/PROPOSAL/REQUEST: Adopt a Resolution of Intent to amend the fees in the Zoning Ordinance and schedule a public hearing to consider amending Community Development fees in Albemarle County Code Chapters 5 (Building Regulations), 7 (Health and Safety), 14 (Subdivision of Land), 17 (Water Protection), and 18 (Zoning Ordinance)

ITEM TYPE: Consent Action Item

STAFF CONTACT(S): Richardson, Walker, Rosenberg, Herrick, Filardo, Shifflett

PRESENTER (S): Dave Shifflett

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: Under Chapters 5, 7, 14, 17, and 18 of the County Code, the Department of Community Development (CDD) charges fees in order to recover the cost of providing a number of services. On April 21, 2021, the Board adopted increases in CDD fees consistent with the policy of following Board-approved salary adjustments. In addition, a technology surcharge and fees for several services previously provided without charge were added to the fee schedule.

STRATEGIC PLAN: Quality Government Operations - Ensure County government's capacity to provide high quality service that achieves community priorities

DISCUSSION: A CDD fee structure update project would use staff and a consultant to explore best practices regarding fee structures and fee methodologies. The goals of this project would be to:
a) consolidate the fees into one unified fee schedule,
b) simplify fees so they are easier for customers to understand and staff to administer,
c) consolidate and align the fees to be consistent with staff effort required while remaining revenue neutral, and
d) adopt the fees in such a way that they provide the option to amend as needed.
This fee structure update would precede the new Community Development System (CDS) and be implemented as part of that system implementation.

Code amendments would consolidate fees currently found in five different sections of the Code into one. In addition, within each of the fee regulations, the project team would identify opportunities to combine and simplify fees that currently consist of multiple separate fees; compare similar fees charged by six other localities; and conduct stakeholder listening sessions both early in the process and again once a unified fee schedule recommendation was developed. Prior to any public hearings to amend the regulations, staff would conduct a work session with the Board, currently scheduled in June. Public hearings are anticipated in the fall with an effective date of January 1, 2024.

BUDGET IMPACT: There are no budget impacts identified with this item. The consultant

services were planned within the FY 23 budget for Community Development. The fee update is intended to be revenue-neutral.

RECOMMENDATION:

Staff recommends that the Board:
1) Adopt the attached Resolution of Intent (Attachment A) to amend the Community Development Department Fees in the County Code; and
2) Direct staff to schedule public hearing(s) to consider the adoption of any proposed fee ordinance(s).

ATTACHMENTS:

A - Zoning Ordinance Resolution

RESOLUTION OF INTENT

WHEREAS, Section 35, Fees, of the Zoning Ordinance (Chapter 18 of the Albemarle County Code) establishes a schedule of fees for services provided by the County of Albemarle under the Zoning Ordinance; and

WHEREAS, it is desired to amend Section 35.1 of the Zoning Ordinance in order to capture the increase in costs associated with the aforementioned services that has occurred since the most recent update to the schedule of fees; and

WHEREAS, it is desired to amend Section 35.1 of the Zoning Ordinance to establish new fees in order to capture costs generated by certain zoning-related services that the County of Albemarle provides, but which currently are not addressed in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to amend Section 35.1 of the Zoning Ordinance to achieve the purposes described herein; and

BE IT FURTHER RESOLVED THAT the Planning Commission shall hold a public hearing on the zoning text amendment proposed pursuant to this resolution of intent, and make its recommendations to the Board of Supervisors at the earliest possible date.

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on _____.

_____
Clerk, Board of County Supervisors

	Aye	Nay
Mr. Gallaway	____	____
Ms. LaPisto-Kirtley	____	____
Ms. Mallek	____	____
Ms. McKeel	____	____
Ms. Palmer	____	____
Ms. Price	____	____