

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**SITTING AS THE DISTRICT COUNCIL**  
**2002 Legislative Session**

Bill No. \_\_\_\_\_ CB-41-2002  
Chapter No. \_\_\_\_\_ 33  
Proposed and Presented by \_\_\_\_\_ Council Member Shapiro  
Introduced by \_\_\_\_\_ Council Member Shapiro  
Co-Sponsors \_\_\_\_\_  
Date of Introduction \_\_\_\_\_ May 21, 2002

**ZONING BILL**

1 AN ORDINANCE concerning

2 Fees and Variances in Conjunction with Special Exceptions and Other Applications

3 For the purpose of revising fees for various planning and zoning proposals by repealing certain  
4 sections of the Zoning Ordinance and creating a new section addressing fees and amending  
5 variance procedures for various applications.

6 BY repealing:

7 Sections 27-144, 27-160, 27-180, 27-200, 27-237 and 27-297

8 The Zoning Ordinance of Prince George's County, Maryland,

9 being also

10 SUBTITLE 27. ZONING.

11 The Prince George's County Code

12 (1999 Edition, 2001 Supplement).

13 By repealing and reenacting, with amendments:

14 Sections 27-198.05, 27-213.06, 27-213.12, 27-231, 27-236, 27-239,

15 27-239.01, 27-239.02, 27-239.04, 27-244, and 27-247,

16 The Zoning Ordinance of Prince George's County, Maryland,

17 being also

18 SUBTITLE 27. ZONING.

19 The Prince George's County Code

20 (1999 Edition, 2001 Supplement).

21 By adding: Sections 27-125.02,

The Zoning Ordinance of Prince George's County, Maryland,  
being also

**SUBTITLE 27. ZONING.**

The Prince George's County Code  
(1999 Edition, 2001 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
Maryland, sitting as the District Council for that part of the Maryland-Washington Regional  
District in Prince George's County, Maryland, that Sections 27-144, 27-160, 27-180, 27-200,  
27-237, and 27-297 of the Zoning Ordinance of Prince George's County, Maryland, being also  
Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed:

**SUBTITLE 27. ZONING.**

**PART 3. ADMINISTRATION.**

**DIVISION 2. ZONING MAP AMENDMENTS.**

**SUBDIVISION 1. CONVENTIONAL ZONES.**

**Sec. 27-144. [Fees.] Reserved.**

**[(a) In general.]**

(1) The fees required by this Section shall be waived for any application for a Zoning  
Map Amendment to the R-O-S Zone.

(2) A check or money order, made payable to the Maryland-National Capital Park  
and Planning Commission, covering all applicable fees, shall accompany the application.

(3) All fees shall be paid by the applicant and retained by the Planning Board.

**(b) Filing fees (original application).**

(1) The filing fee for the application shall be determined by the total area of land  
covered by the application, as set forth in the following table:

ACREAGE	FEE Single-Family, Multifamily, Commercial, Industrial, or R-M-H Zone <sup>1</sup>
One acre or less	\$500
Greater than one, up to, and including two	\$800
Greater than two, up to, and including three	\$1,100
Greater than three, up to, and including four	\$1,300
Greater than four, up to, and including five	\$1,600
Greater than five, up to, and including ten	\$1,800
Greater than ten, up to, and including twenty-five	\$2,100
Greater than twenty-five, up to, and including fifty	\$2,500
Greater than fifty, up to, and including one hundred	\$2,900
Each ten acres (or fraction thereof) in excess of one hundred acres	\$200

1           1   O-S, R-A, R-E, R-R, R-80, R-55, R-35, R-T, R-20, R-30, R-30C, R-18, R-18C, R-10A, R-10, R-H,  
2           2   C-O, C-A, C-S-C, C-W, C-M, I-3, I-4, I-1, and I-2 Zones.

3           3   (c) **Sign posting fees.**

4           4   (1) In addition to the filing fee, a fee of Thirty Dollars (\$30.00) shall be paid for  
5           5   posting each public notice sign (to be posted by the Planning Board), except as provided below.

6           6   (2) The Department of Environmental Resources shall not be required to pay a sign  
7           7   posting fee for any petition filed by the Department to annul a conditional Zoning Map  
8           8   Amendment (Section 27-157(c)).

9           9   (d) **Revision of site plan fees.**

10          10   (1) With the filing of each application for the revision of a site plan approved by the  
11          11   Council at the same time it approved the Zoning Map Amendment, a fee equal to fifty percent  
12          12   (50%) of the filing fee specified in Subsection (b), above (for the area shown on the original  
13          13   approved application), shall be paid.

14          14   (e) **Fees for amendment of applications.**

15          15   (1) If an application is amended by increasing the total area of the property, the  
16          16   appropriate additional fees (including filing and sign posting fees) for the additional land shall be  
17          17   paid (except where this land was the subject of another application that was withdrawn for the  
18          18   purpose of adding the land to the subject application).

(2) If an application is amended by requesting a different zoning classification, and if the new zone has a greater filing fee than the zone previously requested, the difference shall be paid.

**(f) Refunds and waivers.**

(1) No part of a fee shall be refunded or waived unless the Planning Board determines that one (1) of the following applies:

(A) The fee was paid by mistake, and the applicant has requested (in writing) a refund.

(B) The application is filed by (or on behalf of) any department or agency of the County, or any municipal, State, or Federal government.

(C) Filing fee (original application).

(i) A request to withdraw an application is received in proper form prior to the public release date of the Technical Staff Report, and prior to the date (Section 27-150(a)) for notice of the initial public hearing. In this case, fifty percent (50%) of the filing fee shall be refunded.

(ii) A request to withdraw an application is received in proper form after the public release date of the Technical Staff Report, but prior to the submission date (Section 27-150(a)) for notice of the initial public hearing. In this case, twenty-five percent (25%) of the filing fee shall be refunded.

(D) An error was made on a Zoning Map through governmental action on a Zoning Map Amendment application, and the filing of an additional application is necessary to correct the error. In this case, all fees shall be refunded.

(E) An application is filed and property rezoned because of a clear mistake by a governmental agency in the adoption of a Sectional Map Amendment. In this case, the Council may direct the refunding of all fees.

(F) Filing fee (Revision of site plan approved by the District Council).

(i) A request to withdraw an application is received in proper form prior to the public release date of the Technical Staff Report. In this case, fifty percent (50%) of the filing fee shall be refunded.

(ii) A request to withdraw an application is received in proper form after the public release date of the Technical Staff Report, but prior to the date of the required public hearing. In this case, twenty-five percent (25%) of the filing fee shall be refunded.

(G) Sign posting fee.

(i) The application is withdrawn prior to the posting of the sign. In this case, the entire sign posting fee shall be refunded.

(ii) Subparagraphs (A), (B), (D), and (E), above, also apply to refunding or waiving sign posting fees.

(2) The refund provisions of subparagraph (C) of paragraph (1) shall not apply to:

(A) Any application which is for property within the boundaries of a Sectional Map Amendment and the application was pending upon transmittal of the Sectional Map Amendment to the District Council (provided the Sectional Map Amendment is approved by the District Council); or

(B) Any portion of property subject to an application which has been withdrawn and then added by amendment to another application on adjoining land. That portion of the property which was withdrawn (but not added to the other application) shall be entitled to a refund under the provisions of subparagraph (C), above.]

\* \* \* \* \*

**Sec. 27-160. [Fees.] Reserved.**

[(a) **In general.**

(1) A check or money order, made payable to the Maryland-National Capital Park and Planning Commission, covering all applicable fees, shall accompany the application.

(2) All fees shall be paid by the applicant and retained by the Planning Board.

(b) **Filing fees (original application).**

(1) The filing fee for the application shall be determined by the total area of land covered by the application, as set forth in the following table:

ACREAGE	FEE
One acre or less	\$700
Greater than one, up to, and including two	\$1,000
Greater than two, up to, and including three	\$1,200
Greater than three, up to, and including four	\$1,500
Greater than four, up to, and including five	\$1,700
Greater than five, up to, and including ten	\$2,000
Greater than ten, up to, and including twenty-five	\$2,300
Greater than twenty-five, up to, and including fifty	\$2,700
Greater than fifty, up to, and including one hundred	\$3,100
Each ten acres (or fraction thereof) in excess of one hundred acres	\$200

**(c) Sign posting fees.**

(1) In addition to the filing fee, a fee of thirty Dollars (\$30.00) shall be paid for posting each public notice sign (to be posted by the Planning Board), except as provided below.

(2) The Department of Environmental Resources shall not be required to pay a sign posting fee for any petition filed by the Department to annul a conditional Zoning Map Amendment (Section 27-176(d)).

**(d) Fees for amendment of applications.**

(1) If an application is amended by increasing the total area of the property, the appropriate additional fees (including filing and sign posting fees) for the additional land shall be paid (except where this land was the subject of another application that was withdrawn for the purpose of adding the land to the subject application).

**(e) Refunds and waivers.**

(1) No part of a fee shall be refunded or waived unless the Planning Board determines that one (1) of the following applies:

(A) The fee was paid by mistake and the applicant has requested (in writing) a refund.

(B) The application is filed by (or on behalf of) any department or agency of the County, or any Municipal, State, or Federal government.

(C) Filing fee (original application).

(i) A request to withdraw an application is received in proper form prior to the public release date of the Technical Staff Report, and prior to the submission date (Section

27-166(a)) for notice of the initial public hearing. In this case, fifty percent (50%) of the filing fee shall be refunded.

(ii) A request to withdraw an application is received in proper form after the public release date of the Technical Staff Report, but prior to the submission date (Section 27-166(a)) for notice of the initial public hearing. In this case, twenty-five percent (25%) of the filing fee shall be refunded.

(D) An error was made on a Zoning Map through governmental action on a Zoning Map Amendment application, and the filing of an additional application is necessary to correct the error. In this case, all fees shall be refunded.

(E) An application is filed and property rezoned because of a clear mistake by a governmental agency in the adoption of a Sectional Map Amendment. In this case, the Council may direct the refunding of all fees.

(F) Sign posting fee.

(i) The application is withdrawn prior to posting the sign. In this case, the entire sign posting fee shall be refunded.

(ii) Subparagraphs (A), (B), (D), and (E), above, also apply to refunding or waiving sign posting fees.

(2) The refund provisions of subparagraph (C) of paragraph (1), above, shall not apply to:

(A) Any application which is for property within the boundaries of a Sectional Map Amendment and the application was pending upon transmittal of the Sectional Map Amendment to the District Council (provided the Sectional Map Amendment is approved by the District Council); or

(B) Any portion of a property subject to an application which has been withdrawn and then added by amendment to another application on adjoining land. That portion of the property which was withdrawn (but not added to the other application) shall be entitled to a refund under the provision of subparagraph (C), above.]

\* \* \* \* \*

**Sec. 27-180. [Fees.] Reserved.**

[(a) **In general.**

(1) A check or money order, made payable to the Maryland-National Capital Park and Planning Commission, covering all applicable fees, shall accompany the application.

(2) All fees shall be paid by the applicant and retained by the Planning Board.

**(b) Filing fees (original application).**

(1) The filing fee for the application shall be determined by the total area of land covered by the application, as set forth in the following table:

ACREAGE	FEE
One acre or less	\$700
Greater than one, up to, and including two	\$1,000
Greater than two, up to, and including three	\$1,200
Greater than three, up to, and including four	\$1,500
Greater than four, up to, and including five	\$1,700
Greater than five, up to, and including ten	\$2,000
Greater than ten, up to, and including twenty-five	\$2,300
Greater than twenty-five, up to, and including fifty	\$2,700
Greater than fifty, up to, and including one hundred	\$3,100
Each ten acres (or fraction thereof) in excess of one hundred acres	\$200

**(c) Sign posting fees.**

(1) In addition to the filing fee, a fee of thirty Dollars (\$30.00) shall be paid for posting each public notice sign (to be posted by the Planning Board), except as provided below.

(2) The Department of Environmental Resources shall not be required to pay a sign posting fee for any petition filed by the Department to annul a conditional Zoning Map Amendment (Section 27-195(d)).

**(d) Fees for Basic Plan amendment.**

(1) With the filing of each application to amend an approved Basic Plan, a fee equal to fifty percent (50%) of the filing fee in Subsection (b) (for the area subject to the proposed amendment) shall be paid.

**(e) Fees for amendments of applications.**

(1) If an application is amended by increasing the total area of the property, the appropriate additional fees (including filing and sign posting fees) for the additional land shall be paid (except where this land was the subject of another application that was withdrawn for the purpose of adding the land to the subject application).

**(f) Refunds and waivers.**

(1) No part of a fee shall be refunded or waived unless the Planning Board determines that one (1) of the following applies:



1 (A) The fee was paid by mistake, and the applicant has requested (in writing) a  
2 refund.

3 (B) The application is filed by (or on behalf of) any department or agency of the  
4 County, or any Municipal, State, or Federal government.

5 (C) Filing fee (original application).

6 (i) A request to withdraw an application is received in proper form prior to  
7 the public release date of the Technical Staff Report, and prior to the submission date (Section  
8 27-186(a)) for notice of the initial public hearing. In this case, fifty percent (50%) of the filing  
9 fee shall be refunded.

10 (ii) A request to withdraw an application is received in proper form after  
11 the public release date of the Technical Staff Report, but prior to the submission date by (Section  
12 27-186(a)) for notice of the initial public hearing. In this case, twenty-five percent (25%) of the  
13 filing fee shall be refunded.

14 (D) Filing fee (amendment of Basic Plan).

15 (i) A request to withdraw the amendment application is received in proper  
16 form prior to the submission date (Section 27-197(b)(4)) for notice of the initial public hearing.  
17 In this case, twenty-five percent (25%) of the filing fee shall be refunded.

18 (E) An error was made on a Zoning Map through governmental action on a  
19 Zoning Map Amendment application, and the filing of an additional application is necessary to  
20 correct the error. In this case, all fees shall be refunded.

21 (F) An application is filed and property rezoned because of a clear mistake by a  
22 governmental agency in the adoption of a Sectional Map Amendment. In this case, the Council  
23 may direct the refunding of all fees.

24 (G) Sign posting fee.

25 (i) The application is withdrawn prior to posting the sign. In this case, the  
26 entire sign posting fee shall be refunded.

27 (ii) Subparagraphs (A), (B), (E), and (F), above, also apply to refunding or  
28 waiving sign posting fees.

29 (2) The refund provisions of subparagraph (C) of paragraph (1), above, shall not  
30 apply to:

31 (A) Any application which is for property within the boundaries of a Sectional  
32 Map Amendment and the application was pending upon transmittal of the Sectional Map

Amendment to the District Council (provided that the Sectional Map Amendment is approved by the District Council); or

(B) Any portion of a property subject to an application which has been withdrawn and then added by amendment to another application on adjoining land. That portion of the property which was withdrawn (but not added to the other application) shall be entitled to a refund under the provisions of subparagraph (C), above.]

\* \* \* \* \*

**Sec. 27-200. [Fees.] Reserved.**

**[(a) In general.**

(1) A check or money order, made payable to the Maryland-National Capital Park and Planning Commission, covering all applicable fees, shall accompany the application.

(2) All fees shall be paid by the applicant and retained by the Planning Board.

**(b) Filing fees (original application).**

(1) The filing fee for the application shall be determined by the total area of land covered by the application, as set forth in the following table:

ACREAGE	FEE
One acre or less	\$700
Greater than one, up to, and including two	\$1,000
Greater than two, up to, and including three	\$1,200
Greater than three, up to, and including four	\$1,500
Greater than four, up to, and including five	\$1,700
Grater than five, up to, and including ten	\$2,000
Greater than ten, up to, and including twenty-five	\$2,300
Greater than twenty-five, up to, and including fifty	\$2,700
Greater than fifty, up to, and including one hundred	\$3,100
Each ten acres (or fraction thereof) in excess of one hundred acres	\$200

**(c) Sign posting fees.**

(1) In addition to the filing fee, a fee of Thirty Dollars (\$30.00) shall be paid for the posting of each public notice sign (to be posted by the Planning Board), except as provided below.

(2) The Department of Environmental Resources shall not be required to pay a sign posting fee for any petition filed by the Department to annul a conditional Zoning Map Amendment (Section 27-213(c)).

1           (d) **Revision of site plan fees.**

2           (1) With the filing of each application for the revision of a site plan approved by the  
3 Council at the same time it approved the Zoning Map Amendment, a fee equal to fifty percent  
4 (50%) of the filing fee specified in Subsection (b) (for the area shown on the original approved  
5 application) shall be paid.

6           (e) **Fees for amendment of applications.**

7           (1) If an application is amended by increasing the total area of the property, the  
8 appropriate additional fees (including filing and sign posting fees) for the additional land shall be  
9 paid (except where this land was the subject of another application that was withdrawn for the  
10 purpose of adding the land to the subject application).

11           (2) If an application is amended by requesting a different zoning classification, and if  
12 the new zone has a greater filing fee than the zone previously requested, the difference shall be  
13 paid.

14           (f) **Refunds and waivers.**

15           (1) No part of a fee shall be refunded or waived unless the Planning Board determines  
16 that one (1) of the following applies:

17                   (A) The fee was paid by mistake and the applicant has requested (in writing) a  
18 refund.

19                   (B) The application is filed by (or on behalf of) any department or agency of the  
20 County, or any municipal, State, or Federal government.

21                   (C) Filing fee (original application).

22                           (i) A request to withdraw an application is received in proper form prior to  
23 the public release date of the Technical Staff Report, and prior to the submission date (Section  
24 27-206(a)) for notice of the initial public hearing. In this case, fifty percent (50%) of the filing  
25 fee shall be refunded.

26                           (ii) A request to withdraw an application is received in proper form after  
27 the public release date of the Technical Staff Report, but prior to the submission date (Section  
28 27-206(a)) for notice of the initial public hearing. In this case, twenty-five percent (25%) of the  
29 filing fee shall be refunded.

30                   (D) An error was made on a Zoning Map through governmental action on a  
31 Zoning Map Amendment application, and the filing of an additional application is necessary to  
32 correct the error. In this case all fees shall be refunded.

(E) An application is filed and property rezoned because of a clear mistake by a governmental agency in the adoption of a Sectional Map Amendment. In this case, the Council may direct the refunding of all fees.

(F) Filing fee (Revision of a site plan approved by the District Council).

(i) A request to withdraw an application is received in proper form prior to the public release date of the Technical Staff Report. In this case, fifty percent (50%) of the filing fee shall be refunded.

(ii) A request to withdraw an application is received in proper form after the public release date of the Technical Staff Report, but prior to the date of the required public hearing. In this case, twenty-five percent (25%) of the filing fee shall be refunded.

(G) Sign posting fee.

(i) The application is withdrawn prior to posting the sign. In this case, the entire sign posting fee shall be refunded.

(ii) Subparagraphs (A), (B), (D), and (E) also apply to refunding or waiving sign posting fees.

(2) The refund provisions of subparagraph (C) of paragraph (1), above, shall not apply to:

(A) Any application which is for property within the boundaries of a Sectional Map Amendment and the application was pending upon transmittal of the Sectional Map Amendment to the District Council (provided the Sectional Map Amendment is approved by the District Council); or

(B) Any portion of a property subject to an application which has been withdrawn and then added by amendment to another application on adjoining land. That portion of the property which was withdrawn (but not added to the other application) shall be entitled to a refund under the provisions of subparagraph (C), above.]

\* \* \* \* \*

**Sec. 27-237. [Fees] Reserved.**

[(a) With the filing of each request for a variance, a filing fee of One Hundred Dollars (\$100.00) shall be paid to Prince George's County.

(b) The fee may be waived or refunded if the Zoning Hearing Examiner finds that paying the fee would be an extreme hardship for the applicant, or that the fee was paid by mistake.]

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## PART 4. SPECIAL EXCEPTIONS.

### SUBDIVISION 1. APPLICATIONS.

\* \* \* \* \*

#### **Sec. 27-297. [Fees.] Reserved.**

##### **[(a) In general.]**

(1) A check or money order, made payable to the Maryland-National Capital Park and Planning Commission, covering all applicable fees, shall accompany the application.

(2) The fees shall be paid by the applicant and retained by the Planning Board.

##### **(b) Filing fees (original application).**

(1) The filing fee for a mobile home (as a one-family dwelling) shall be Two Hundred Dollars (\$200.00).

(2) The filing fee for a day care center for children shall be One Hundred Dollars (\$100.00).

(3) The filing fee for a Special Exception to establish a church shall be Zero Dollars (\$0).

(4) The filing fee for any other Special Exception application shall be determined by the total area of land covered by the application, as set forth in the following table:

ACREAGE	FEE
One acre or less	\$500
Greater than one, up to, and including five	\$800
Greater than five, up to, and including ten	\$1,100
Greater than ten, up to, and including twenty-five	\$1,600
Greater than twenty-five, up to, and including fifty	\$2,600
Greater than fifty, up to, and including seventy-five	\$4,000
Greater than seventy-five, up to, and including one hundred	\$5,300
Each ten acres (or fraction thereof) in excess of one hundred acres	\$500

##### **(c) Sign posting fees.**

(1) In addition to the filing fee, a fee of Thirty Dollars (\$30.00) shall be paid for posting each public notice sign (to be posted by the Planning Board), except as provided below.

(2) Where the application involves a public utility right-of-way, the fee shall be Thirty Dollars (\$30.00) each for the first four (4) signs, plus Five Dollars (\$5.00) for each sign over four (4).

(3) The Department of Environmental Resources shall not be required to pay a sign

posting fee for any petition filed by the Department to revoke or modify a special exception (Section 27-328).

(4) An applicant shall not be required to pay a sign posting fee for any application for a Special Exception to establish a church.

**(d) Revision of site plan fees.**

(1) With the filing fees for each application for the revision of an approved Special Exception site plan, a fee equal to fifty percent (50%) of the filing fee specified in Subsection (b), above (for the area shown on the original approved application), shall be paid, except as provided below.

(2) The filing fee for a site plan revision which qualifies as a minor change shall be calculated only on that portion of the land area shown on the original approved application which includes, and which is immediately affected by, the proposed revision.

**(e) Fees for amendments of applications.**

(1) If an application is amended by increasing the total area of the property, the appropriate additional fees including filing and sign posting fees for the additional land shall be paid.

**(f) Refunds and waivers.**

(1) No part of fee shall be refunded or waived unless the Planning Board determines that one (1) of the following applies:

(A) The fee was paid by mistake and the applicant has requested (in writing) a refund.

(B) The application is filed by (or on behalf of) any department or agency of the County, or any municipal, State, or Federal government.

(C) Filing fee (original application or "major change" revision of approved site plan):

(i) A request to withdraw an application is received in proper form prior to the public release date of the Technical Staff Report, and prior to the submission date (Section 27-304(a)) for notice of the initial public hearing. In this case, fifty percent (50%) of the fee shall be refunded.

(ii) A request to withdraw an application is received in proper form after the public release date of the Technical Staff Report, but prior to the submission date (Section 27-304(a)) for notice of the initial public hearing. In this case, twenty-five percent (25%) of the

1 fee shall be refunded.

2 (D) Filing fee ("minor change" revision of approved site plan):

3 (i) A request to withdraw an application is received in proper form prior to  
4 the public release date of the Technical Staff Report, and prior to the date upon which the  
5 Planning Board first considers the application. In this case, fifty percent (50%) of the fee shall  
6 be refunded.

7 (ii) A request to withdraw an application is received in proper form after the  
8 public release date of the Technical Staff Report, but prior to the date upon which the Planning  
9 Board first considers the application. In this case, twenty-five percent (25%) of the fee shall be  
10 refunded.

11 (E) Sign posting fee:

12 (i) The application is withdrawn prior to posting the sign. In this case the  
13 entire sign posting fee shall be refunded.

14 (ii) Subparagraphs (A) and (B), above, also apply to refunding or waiving  
15 sign posting fees.]

16 SECTION 2. BE IT ENACTED by the County Council of Prince George's County,  
17 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional  
18 District in Prince George's County, Maryland, that Sections 27-198.05, 27-213.06, 27-213.12,  
19 27-231, 27-236, 27-239, 27-239.01, 27-239.02, 27-239.04, 27-244, 27-247, and 27-255.01 of the  
20 Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince  
21 George's County Code, be and the same are hereby repealed and reenacted, with amendments:

## 22 SUBTITLE 27. ZONING.

### 23 PART 3. ADMINISTRATION.

#### 24 DIVISION 2. ZONING MAP AMENDMENTS.

##### 25 SUBDIVISION 3A. M-U-TC ZONE.

#### 26 Sec. 27-198.05. Map Amendment approval; amendments.

27 \* \* \* \* \*

28 (d) **Amendment of approved Mixed-Use Town Center Zone.**

29 (1) In general.

30 \* \* \* \* \*

31 [(5) Fees.

32 (A) In general.

(i) A check or money order, made payable to the Maryland-National Capital Park and Planning Commission, covering all applicable fees, shall accompany the application.

(ii) All fees shall be paid by the applicant and retained by the Planning Board.

(B) Filing fees (original application).

(i) The filing fee for the application shall be determined by the total area of land covered by the application, as set forth in the following table:

ACREAGE	FEE
One acre or less	\$700
Greater than one, up to, and including two	\$1,000
Greater than two, up to, and including three	\$1,200
Greater than three, up to, and including four	\$1,500
Greater than four, up to, and including five	\$1,700
Greater than five, up to, and including ten	\$2,000
Greater than ten, up to, and including twenty-five	\$2,300
Greater than twenty-five, up to, and including fifty	\$2,700
Greater than fifty, up to, and including one hundred	\$3,100
Each ten acres (or fraction thereof) in excess of one hundred acres	\$200

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\* \* \* \* \*

## **SUBDIVISION 5. TRANSIT DISTRICT OVERLAY ZONE.**

### **Sec. 27-213.06. Amendment of approved Transit District Overlay Zone.**

\* \* \* \* \*

#### **(b) Primary Amendments Application.**

(1) In general.

\* \* \* \* \*

[(4) Fees.

(A) In general.

(i) A check or money order, made payable to the Maryland-National Capital Park and Planning Commission, covering all applicable fees, shall accompany the application.

(ii) All fees shall be paid by the applicant and retained by the Planning



Board.

(B) Filing fees (Primary Amendment application).

(i) The filing fee for the application shall be determined by the total area of land being added to or eliminated from the subject Transit District Overlay Zone by the application, as set forth in the following table. If, for applications to change land use density or intensity, the Planning Board finds that the filing fee causes undue financial hardship on the applicant, then the Planning Board may reduce this fee by no more than fifty percent (50%).

ACREAGE	FEE
One acre or less	\$700
Greater than one, up to, and including two	\$1,000
Greater than two, up to, and including three	\$1,200
Greater than three, up to, and including four	\$1,500
Greater than four, up to, and including five	\$1,700
Greater than five, up to, and including ten	\$2,000
Greater than ten, up to, and including twenty-five	\$2,300
Greater than twenty-five, up to, and including fifty	\$2,700
Greater than fifty, up to, and including one hundred	\$3,100
Each ten acres (or fraction thereof) in excess of one hundred acres	\$200

]

\* \* \* \* \*

(c) **Secondary Amendment Application.**

\* \* \* \* \*

[(B) Filing fees.

(i) Upon completing an application, the applicant shall pay to the Planning Board a fee to help defray the costs related to processing the application. A reduction in the fee may be permitted by the Planning Board if it finds that payment of the full amount will cause an undue hardship upon the applicant.

(C) Sign posting fees.

(i) In addition to the filing fee, a fee of Thirty Dollars (\$30.00) shall be paid for the posting of each public notice sign to be posted by the Planning Board.

(ii) No part of a fee shall be refunded or waived, unless the Planning Board determines that one of the following applies:

(aa) The fee was paid by mistake, and the applicant has requested (in

writing) a refund.

(bb) The application is withdrawn prior to posting the sign. In this case the entire sign posting fee shall be refunded.]

\* \* \* \* \*

## **SUBDIVISION 6. CHESAPEAKE BAY CRITICAL AREA OVERLAY ZONES.**

### **Sec. 27-213.12. Amendment of approved Chesapeake Bay Critical Area Overlay Zones.**

\* \* \* \* \*

#### **[(c) Fees.**

##### **(1) In general.**

(A) A check or money order, made payable to the Maryland-National Capital Park and Planning Commission, covering all applicable fees, shall accompany the application.

(B) All fees shall be paid by the applicant and retained by the Planning Board.

##### **(2) Filing fees (original application).**

(A) The filing fee for the application shall be determined by the total area of land covered by the application and the Chesapeake Bay Critical Area Overlay Zone requested, as set forth in the following table:

<b>ACREAGE</b>	<b>FEE</b>		
	<b>ZONE</b>		
	<b>R-C-O</b>	<b>L-D-O</b>	<b>I-D-O</b>
One (1) acre or less	\$500	\$500	\$700
Greater than one (1), up to, and including two (2)	\$800	\$800	\$1,000
Greater than two (2), up to, and including three (3)	\$1,100	\$1,100	\$1,200
Greater than three (3), up to, and including four (4)	\$1,300	\$1,300	\$1,500
Greater than four (4), up to, and including five (5)	\$1,600	\$1,600	\$1,700
Greater than five (5), up to, and including ten (10)	\$1,800	\$1,800	\$2,000
Greater than ten (10), up to, and including twenty-five (25)	\$2,100	\$2,100	\$2,300
Greater than twenty-five (25), up to, and including fifty (50)	\$2,500	\$2,500	\$2,700
Greater than fifty (50), up to, and including one hundred (100)	\$2,900	\$2,900	\$3,100
Each ten (10) acres (or fraction thereof) in excess of one hundred (100)	\$200	\$200	\$200

##### **(3) Sign posting fees.**

(A) In addition to the filing fee, a fee of Thirty Dollars (\$30.00) shall be paid for posting each public notice sign (to be posted by the Planning Board), except as provided below.

(B) The Department of Environmental Resources shall not be required to pay a

1 sign posting fee for any petition filed by the Department to annul a conditional Zoning Map  
2 Amendment (Section 27-213.13(d)).

3 (4) Revision of site plan fees.

4 (A) With the filing of each application for the revision of a site plan approved by  
5 the Council at the same time it approved the Zoning Map Amendment, a fee equal to fifty  
6 percent (50%) of the filing fee specified in paragraph (2), above (for the area shown on the  
7 original approved application), shall be paid.

8 (5) Fees for amendment of applications.

9 (A) If an application is amended by increasing the total area of the property, the  
10 appropriate additional fees (including filing and sign posting fees) for the additional land shall be  
11 paid (except where this land was the subject of another application that was withdrawn for the  
12 purpose of adding the land to the subject application).

13 (B) If an application is amended by requesting a different zoning classification,  
14 and if the new zone has a greater filing fee than the zone previously requested, the difference  
15 shall be paid.

16 (6) Refunds and waivers.

17 (A) No part of a fee shall be refunded or waived unless the Planning Board  
18 determines that one (1) of the following applies:

19 (i) The fee was paid by mistake, and the applicant has requested (in  
20 writing) a refund.

21 (ii) The application is filed by (or on behalf of) any department or agency  
22 of the County, or any municipal, State, or Federal government.

23 (iii) Filing fee (original application):

24 (aa) A request to withdraw an application is received in proper form  
25 prior to the public release date of the Technical Staff Report, and prior to the date (Section 27-  
26 213.10(a)) for notice of the initial public hearing. In this case, fifty percent (50%) of the filing  
27 fee shall be refunded.

28 (bb) A request to withdraw an application is received in proper form  
29 after the public release date of the Technical Staff Report, but prior to the submission date  
30 (Section 27-213.10(a)) for notice of the initial public hearing. In this case, twenty-five percent  
31 (25%) of the filing fee shall be refunded.

32 (iv) An error was made on a Zoning Map through governmental action on a

Zoning Map Amendment application, and the filing of an additional application is necessary to correct the error. In this case, all fees shall be refunded.

(v) An application is filed and property rezoned because of a clear mistake by a governmental agency in the adoption of a Sectional Map Amendment. In this case, the Council may direct the refunding of all fees.

(vi) Filing fee (Revision of site plan approved by the District Council):

(aa) A request to withdraw an application is received in proper form prior to the public release date of the Technical Staff Report. In this case, fifty percent (50%) of the filing fee shall be refunded.

(bb) A request to withdraw an application is received in proper form after the public release date of the Technical Staff Report, but prior to the date of the required public hearing. In this case, twenty-five percent (25%) of the filing fee shall be refunded.

(vii) Sign posting fee:

(aa) The application is withdrawn prior to the posting of the sign. In this case, the entire sign posting fee shall be refunded.

(bb) Clauses (i), (ii), (iv), and (v), above, also apply to refunding or waiving sign posting fees.

(B) The refund provisions of clause (iii) of subparagraph (A) shall not apply to:

(i) Any application which is for property within the boundaries of a Sectional Map Amendment and the application was pending upon transmittal of the Sectional Map Amendment to the District Council (provided the Sectional Map Amendment is approved by the District Council); or

(ii) Any portion of property subject to an application which has been withdrawn and then added by amendment to another application on adjoining land. That portion of the property which was withdrawn (but not added to the other application) shall be entitled to a refund under the provisions of clause (iii) of subparagraph (A), above.]

\* \* \* \* \*

## **DIVISION 5. APPEALS AND VARIANCES.**

### **SUBDIVISION 1. BOARD OF ZONING APPEALS**

#### **Sec. 27-231. Procedures.**

\* \* \* \* \*

(c) **Fees.**

(1) The appellant shall pay the Clerk of the Board all expenses of the appeal, including the cost estimated by the Clerk for sending notices and advertising[, and a fee of Ten Dollars (\$10) for each public notice sign required by Subsection (d) of this Section]. An application fee shall also be paid to the Clerk in accordance with the fee schedule of Section 27-125.02. A separate fee for the cost of public notice signs shall be paid to the Maryland-National Capital Park and Planning Commission in accordance with the fee schedule of Section 27-125.02. The fees are nonrefundable unless (upon request of the appellant) the Board finds that the fee was paid by mistake. All fees must be paid at the time of filing, except as provided.

\* \* \* \*

## **DIVISION 5. APPEALS AND VARIANCES.**

### **SUBDIVISION 2. VARIANCES IN CONJUNCTION WITH SPECIAL EXCEPTION APPROVAL**

#### **Sec. 27-236. Application.**

(a) Applicants for a Special Exception that requires a [who want the Council to consider a v] Variance shall submit a written request [for the variance to the Office of the Zoning Hearing Examiner (or Clerk of the Council on a site plan amendment not heard by the Examiner) prior to the special exception hearing date] with the Planning Board.

(b) [The Hearing Examiner or Clerk (in the appropriate case) shall determine the form of the request] The Planning Board shall determine the contents of the application form.

(c) A single application may be filed for more than one (1) Variance request on the subject property.

\* \* \* \*

**Sec. 27-239. Notice of hearing.** Notice of the Variance hearing shall be provided in the same manner and in conjunction with the notice requirements for the Special Exception.

[(a) The applicant shall send (by certified mail) notice of the hearing at least fourteen (14) days before the scheduled hearing date to all owners of abutting property (including those properties directly across a street, alley, or stream) and all persons of record in the Special Exception proceedings.

(b) The notice shall contain:

- (1) A copy of the request;
- (2) The date, time, and place of the hearing; and
- (3) A brief statement describing the specific nature of the variance being requested.

(c) The District Council may require the applicant to give additional notice, whenever it deems it necessary and fair.]

### **SUBDIVISION 3. DEPARTURES FROM DESIGN STANDARDS.**

#### **Sec. 27-239.01. Departures from Design Standards.**

\* \* \* \* \*

##### **(a) Procedures.**

\* \* \* \* \*

##### **[(2) Filing fees.**

(A) Upon filing the application, the applicant shall pay to the Planning Board a filing fee of Four Hundred Dollars (\$400.00) to help defray the costs of processing the application. A reduction in the fee may be permitted by the Planning Board when it finds that payment will cause undue hardship upon the applicant.

##### **(B) Sign posting fees.**

(i) In addition to the filing fee, a fee of Thirty Dollars (\$30.00) shall be paid for posting each public notice sign to be posted by the Planning Board.

(ii) When the application involves a utility right-of-way, the fee shall be Thirty Dollars (\$30.00) each for the first four (4) signs, plus Five Dollars (\$5.00) for each sign over four (4).

(iii) No part of a fee shall be refunded or waived unless the Planning Board determines that one (1) of the following applies:

(aa) The fee was paid by mistake, and the applicant has requested (in writing) a refund; or

(bb) The application is withdrawn prior to posting the sign. In this case, the entire sign posting fee shall be refunded.]

\* \* \* \* \*

### **SUBDIVISION 4. SPECIAL PERMITS.**

#### **Sec. 27-239.02. Special Permits.**

##### **(a) Procedures.**

\* \* \* \* \*

##### **[(2) Filing Fees.**

(A) The filing fee shall be determined by the Planning Board. A reduction in the fee may be permitted by the Planning Board when it finds that payment will cause undue

1 hardship upon the applicant.

2 (3) Sign Posting Fees.

3 (A) In addition to the filing fee, a fee of Thirty Dollars (\$30.00) shall be paid for  
4 posting each public notice sign to be posted by the Planning Board.

5 (B) When the application involves a utility right-of-way, the fee shall be Thirty  
6 Dollars (\$30.00) each for the first four (4) signs, plus Five Dollars (\$5.00) for each sign over (4).

7 (C) No part of a fee shall be refunded or waived unless the Planning Board  
8 determines that one (1) of the following applies:

9 (i) The fee was paid by mistake, and the applicant has requested (in  
10 writing) a refund; or

11 (ii) The application is withdrawn prior to posting the sign. In this case, the  
12 entire sign posting fee shall be refunded.]

13 \* \* \* \* \*

14 **SUBDIVISION 5. VARIANCES IN CONJUNCTION WITH OTHER APPROVALS**

15 **Sec. 27-239.04. Procedures.**

16 (a) Applicants for a zoning case, site plan, or other request that requires a Variance, shall  
17 submit a written request with the Planning Board. [who want the Council or Planning Board to  
18 consider a variance shall submit a written request for the variance to the body or official with  
19 whom the application was filed at least twenty-one (21) days prior to the evidentiary hearing  
20 date\_ for the zoning case, site plan, or other request. The applicable fee set forth in Section 2-  
21 122 of this Code shall be charged for the expenses of the request.]

22 (b) The Planning Board shall determine the contents of the application form.

23 (c) A single application may be filed for more than one (1) Variance request on the subject  
24 property.

25 [(b)](d) An evidentiary hearing shall be held on each request for a [v] Variance at the same  
26 time as the hearing for the zoning case, site plan, or other request.

27 [(c)] (e) [Notice of the hearing shall be in accordance with Section 27-231.] Notice of the  
28 Variance hearing shall be provided in the same manner and in conjunction with the notice  
29 requirements for the zoning case, site plan or other request.

30 [(d) If the need for a variance does not arise until the evidentiary hearing on the case, the  
31 case shall be continued, and notice of the hearing on the variance shall be provided in accordance  
32 with Section 27-231.]

\* \* \* \* \*

**DIVISION 6. NONCONFORMING BUILDINGS, STRUCTURES, AND USES.**

**SUBDIVISION 1. GENERAL REQUIREMENTS AND PROCEDURES.**

**Sec. 27-244. Certification.**

(a) **In general.**

\* \* \* \* \*

(f) **Planning Board review.**

\* \* \* \* \*

[(3) Fees.

(A) In general.

(i) A check or money order, made payable to the Maryland-National Capital Park and Planning Commission, covering all applicable fees shall accompany the application.

(B) Filing fees.

(i) Upon completing an application form, the applicant shall pay to the Planning Board a filing fee of Two Hundred Dollars (\$200.00) to help defray the costs related to the processing. A reduction in the fee may be permitted by the Planning Board when it finds that payment will cause undue hardship upon the applicant.

(C) Sign posting fees.

(i) In addition to the filing fee, a fee of Thirty Dollars (\$30.00) shall be paid for the posting of each public notice sign to be posted by the Planning Board, except as provided below.

(ii) Where the application involves a utility line right-of-way, the fee shall be Thirty Dollars (\$30.00) each for the first four (4) signs, plus Five Dollars (\$5.00) for each sign over four (4).

(iii) No part of a fee shall be refunded or waived, unless the Planning Board determines that one (1) of the following applies:

(aa) The fee was paid by mistake, and the applicant has requested (in writing) a refund.

(bb) The application is withdrawn prior to posting the sign. In this case the entire sign posting fee shall be refunded.]

\* \* \* \* \*



**SUBDIVISION 2. ADDITIONAL REQUIREMENTS FOR SPECIFIC NONCONFORMING USES.**

**Sec. 27-247. Junk yards and automobile salvage yards.**

\* \* \* \* \*

(e) The fence (wall) requirements may be waived or modified by the District Council in accordance with the following procedures:

\* \* \* \* \*

[(2) Fees. With the filing of the application, a fee of One Hundred Dollars (\$100.00) shall be paid to the County.]

\* \* \* \* \*

SECTION 3. BE IT ENACTED by the County Council of Prince George's County, Maryland, sitting as the District Council for that part of the Maryland-Washington Regional District in Prince George's County, Maryland, Section 27-125.02 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same is hereby added:

**SUBTITLE 27. ZONING.**

**PART 3. ADMINISTRATION**

**DIVISION 1. GENERAL ZONING PROCEDURES.**

**SUBDIVISION 1. GENERAL.**

**Sec. 27-125.02. Fee Regulations.**

**(a) In general.**

(1) A check or money order covering all applicable fees shall accompany the application, made payable to the Maryland-National Capital Park and Planning Commission, unless otherwise provided.

**(b) Alternative Compliance.**

(1) Upon filing an application for Alternative Compliance, the applicant (or his agent) shall pay a fee to the Planning Board to help defray the costs related to processing the application.

(2) The schedule of fees shall be determined by the Planning Board.

(3) A reduction in the fee may be permitted by the Planning Board if it finds that payment will be an undue hardship on the applicant.

**(c) Zoning Map Amendments.**

(1) Conventional Zones. The applicant shall remit a fee of five thousand dollars

(\$5,000) plus two hundred dollars (\$200) per acre up to and including ten (10) acres, plus one hundred dollars (\$100) for each additional acre.

(2) Mixed use and comprehensive design zones. The applicant shall remit a fee of five thousand dollars (\$5,000) plus two hundred dollars (\$200) per acre up to and including fifty (50) acres, plus one hundred dollars (\$100) for each additional acre.

(3) Chesapeake Bay Critical Area Overlay Zone.

(A) If no changes are proposed to the underlying zoning, the applicant shall remit a fee of five thousand dollars (\$5,000), plus two hundred dollars (\$200) per acre up to and including ten (10) acres, plus one hundred dollars (\$100) for each additional acre.

(B) If changes to the underlying zone are proposed, the applicant shall remit the fee stated in Sec. 27-125.02(c)(2) above.

(4) The total fee will not exceed sixty thousand dollars (\$60,000).

**(d) Special Exceptions.**

(1) The following chart describes the fee ratings, H (high), M (Medium) and L (Low), for various special exceptions in the Zoning Ordinance. The ratings for the special exceptions are indicative of the time and effort necessary for the review of the specific application.

<u><b>TYPE</b></u>	<u><b>RATING</b></u>
<u>Abrasives and asbestos products manufacturing</u>	<u>H</u>
<u>Accessory building, increase in height</u>	<u>L</u>
<u>Adaptive reuse of surplus public school</u>	<u>Depends on Specific Use</u> <u>Depends on Specific Use</u>
<u>Adaptive use of a Historic Site</u>	
<u>Reserved</u>	
<u>Adult day care center</u>	<u>L</u>
<u>Agriculture</u>	<u>L</u>
<u>Airport, Airpark, or airfield, private</u>	<u>H</u>
<u>Reserved</u>	
<u>Amusement park</u>	<u>H</u>
<u>Animals, not customarily household pets</u>	<u>L</u>
<u>Antique shop</u>	<u>L</u>
<u>Apartment housing for elderly or physically handicapped families</u>	<u>L</u>
<u>Asphalt mixing plant</u>	<u>H</u>
<u>Boardinghouse or rooming house</u>	<u>L</u>
<u>Bus maintenance at a private school or church</u>	<u>H</u>
<u>Cement manufacturing</u>	<u>H</u>
<u>Cemetery or Crematory</u>	<u>L</u>
<u>Church or similar place of worship</u>	<u>M</u>
<u>Commercial recreational attraction</u>	<u>H</u>
<u>Commercial recreational facilities (privately owned) on land leased from a public agency</u>	<u>M</u>
<u>Community piers and noncommercial boat docking and storage</u>	<u>L</u>
<u>Concrete batching or mixing plant</u>	<u>H</u>
<u>Concrete living facility</u>	<u>L</u>
<u>Consolidated storage</u>	<u>H</u>
<u>Container fabrication</u>	<u>H</u>
<u>Reserved</u>	
<u>Conversion of one-family detached dwelling</u>	<u>L</u>
<u>Country Inn</u>	<u>L</u>
<u>Day care center for children</u>	<u>L</u>
<u>Distillery for production of fuel alcohol</u>	<u>H</u>
<u>Drive-in or fast-food restaurant</u>	<u>H</u>
<u>Drug Store</u>	<u>M</u>

<u>TYPE</u>	<u>RATING</u>
<u>Dwelling units within building containing commercial uses</u>	<u>L</u>
<u>Eating or drinking establishment</u>	<u>M</u>
<u>Elderly housing (one-family attached dwellings)</u>	<u>L</u>
<u>Farm implement sales or repair; farm supply sales</u>	<u>M</u>
<u>Fertilizer manufacturing</u>	<u>H</u>
<u>Food or beverage store</u>	<u>M</u>
<u>Foundry</u>	<u>H</u>
<u>Fraternity or sorority house</u>	<u>M</u>
<u>Funeral parlor or undertaking establishment</u>	<u>M</u>
<u>Gas Station</u>	<u>H</u>
<u>Golf course; private club; nonprofit recreational uses</u>	<u>L</u>
<u>Group residential facility</u>	<u>L</u>
<u>Heavy armament fabrication</u>	<u>H</u>
<u>Health campus</u>	<u>H</u>
<u>Height limit, dwellings in R-10A and R-10 Zones</u>	<u>L</u>
<u>Hospital; nursing or care home; eleemosynary or Philanthropic institution</u>	<u>L</u>
<u>Hotel or motel</u>	<u>M</u>
<u>Insurance sales office</u>	<u>L</u>
<u>Junk yard</u>	<u>H</u>
<u>Kennel</u>	<u>H</u>
<u>Landscaping contractor's business</u>	<u>H</u>
<u>Lawn mower or bicycle repair shop (motorized)</u>	<u>M</u>
<u>Limited professional uses in multifamily projects</u>	<u>L</u>
<u>Marinas and marina expansions</u>	<u>M</u>
<u>Massage establishment</u>	<u>H</u>
<u>Medical practitioner's office in a one-family dwelling</u>	<u>L</u>
<u>Medical/residential campus</u>	<u>H</u>
<u>Methadone Treatment Centers</u>	<u>H</u>
<u>Reserved</u>	
<u>Miscellaneous industrial, manufacturing, and related uses</u>	<u>H</u>
<u>Mobile home</u>	<u>L</u>
<u>Model studio</u>	<u>H</u>
<u>through Sec. 27-381. Reserved</u>	

<u><b>TYPE</b></u>	<u><b>RATING</b></u>
<u>Multifamily dwelling; bedroom percentages increase</u>	<u>L</u>
<u>Newspaper publishing establishment; printing office</u>	<u>M</u>
<u>Nonconforming buildings, structures, and uses; alteration, enlargement, extension, or reconstruction</u>	<u>Depends on Specific Use</u>
<u>Nursery and garden center</u>	<u>M</u>
<u>Offices (general business and professional)</u>	<u>M</u>
<u>Office (other than accessory to another use)</u>	<u>M</u>
<u>Outdoor display of merchandise</u>	<u>H</u>
<u>Reserved</u>	
<u>Paper and paperboard products</u>	<u>H</u>
<u>Paper recycling collection center</u>	<u>H</u>
<u>Parking lot (required) serving adjacent Commercial or Industrial Zone</u>	<u>M</u>
<u>Parking lot, commercial</u>	<u>M</u>
<u>Parking of commercial vehicles</u>	<u>M</u>
<u>Pawnshop</u>	<u>H</u>
<u>Planned retirement community</u>	<u>L</u>
<u>Private school</u>	<u>M</u>
<u>Public utility use or structure</u>	<u>M</u>
<u>Racetracks, pari-mutuel</u>	<u>H</u>
<u>Real estate sales office</u>	<u>L</u>
<u>Recreational campground</u>	<u>M</u>
<u>Recycling plant</u>	<u>H</u>
<u>Retail sales and consumer service establishments</u>	<u>L</u>
<u>Riding stable</u>	<u>M</u>
<u>Rifle, pistol, or skeet shooting range</u>	<u>H</u>
<u>Sand and gravel wet-processing</u>	<u>H</u>
<u>Sanitary landfill; rubble fill</u>	<u>H</u>
<u>Satellite dish antenna</u>	<u>H</u>
<u>Sawmill</u>	<u>H</u>
<u>Seafood market</u>	<u>M</u>
<u>Skating facility</u>	<u>M</u>
<u>Smoking and curing of food products; pickling processes</u>	<u>H</u>
<u>Soap, cleaner, polish, sanitation products, bleach or detergent manufacturing</u>	<u>H</u>
<u>Spa, community (same as pool)</u>	<u>H</u>

<u>TYPE</u>	<u>RATING</u>
<u>Stationery or office supply corporate headquarters (including office, showroom, and distribution)</u>	<u>H</u>
<u>Surface mining</u>	<u>H</u>
<u>Swimming pools; community</u>	<u>H</u>
<u>Taxicab dispatching station</u>	<u>M</u>
<u>Temporary structures, and uses; wayside stands</u>	<u>M</u>
<u>Theater, outdoor (drive-in)</u>	<u>H</u>
<u>Tourist cabin camp</u>	<u>M</u>
<u>Tower, pole, monopole, or antenna</u>	<u>H</u>
<u>Townhouses</u>	<u>L</u>
<u>Transfer station</u>	<u>H</u>
<u>Vehicle lubrication and tune-up facilities</u>	<u>H</u>
<u>Vehicle and trailer rental display</u>	<u>H</u>
<u>Vehicle parts and tire store (including installation)</u>	<u>H</u>
<u>Vehicle, boat, mobile home, trailer, and camping trailer sales room or lot</u>	<u>H</u>
<u>Vehicle salvage yard</u>	<u>H</u>
<u>Wholesaling or distribution uses</u>	<u>H</u>

(2) The following fees per impact level shall apply:

(A) For low impact use, the fee is two thousand, five hundred dollars (\$2,500) up to and including fifty (50) acres, plus fifty dollars (\$50) per acre over fifty (50) acres.

(B) For medium impact use, the fee is four thousand dollars (\$4,000) up to and including fifty (50) acres, plus fifty dollars (\$50) per acre over fifty (50) acres.

(C) For high impact use, the fee is five thousand, five hundred dollars (\$5,500) up to and including fifty (50) acres, plus fifty dollars (\$50) per acre over fifty (50) acres.

(D) For a mobile home as a one-family dwelling, the fee is two hundred dollars (\$200).

(E) For a day care center in a single family residence, the fee is one hundred dollars (\$100).

(F) There is no fee for a Special Exception application filed by a church.

**(e) Revision of a Site Plan (Special Exception).** The fee is one-half of the original fee.

**(f) Departures.**

(1) The fee for single-family attached or detached units, not exceeding ten (10)

1 acres, is one hundred dollars (\$100).

2 (2) For all other applications, the fee is two thousand dollars (\$2,000).

3 **(g) Alternative Development Technique.**

4 (1) Upon filing a plan for Alternative Development Technique in accordance with  
5 Section 27-475.07, the applicant (or his agent) shall pay to the Planning Board a fee to help  
6 defray the costs related to processing the application.

7 (2) The fee schedule shall be determined by the Planning Board.

8 (3) The Planning Board may permit a reduction in the fee if the Board finds that \  
9 payment will be an undue hardship on the applicant.

10 **(h) Certification of Nonconforming Uses.**

11 (1) For a maximum of two houses on one lot, the fee is one hundred dollars (\$100).

12 (2) For each mobile home, the fee is one hundred dollars (\$100).

13 (3) For churches, there is no fee.

14 (4) For all other uses, the fee is one thousand dollars (\$1,000).

15 (5) For a revision of site plan for a nonconforming use, one half of the original fee.

16 **(i) Tree Conservation Plans.**

17 (1) Upon filing a Tree Conservation Plan, the applicant (or his agent) shall pay to the  
18 Planning Board a fee to help defray the costs related to processing the application.

19 (2) The fee schedule shall be determined by the Planning Board.

20 (3) The Planning Board may permit a reduction in the fee if the Board finds that  
21 payment will be an undue hardship on the applicant.

22 **(j) Conservation Plan.**

23 (1) Upon filing a Conservation Plan, the applicant (or his agent) shall pay to the  
24 Planning Board a fee to help defray the costs related to processing the application.

25 (2) The fee schedule shall be determined by the Planning Board.

26 (3) The Planning Board may permit a reduction in the fee if the Board finds that  
27 payment will be an undue hardship on the applicant.

28 **(k) Zoning Certification and Buildable Lot Letters.**

29 (1) Upon requesting a Zoning Certification Letter, a letter signed by the Planning  
30 Department staff certifying that a use or structure on a given piece of property is allowed as a  
31 permissible use in accordance with the existing zoning, the applicant (or his agent) shall  
32 pay to the Planning Board a fee to help defray the costs related to processing the application.

(2) The fee schedule shall be determined by the Planning Board.

(3) The Planning Board may permit a reduction in the fee if the Board finds that payment will be an undue hardship on the applicant.

**(l) Variances.**

(1) For existing single-family attached and detached residences, the applicant shall remit a fee of two hundred dollars (\$200).

(2) For single-family attached and detached residences that are proposed, newly constructed or under construction, the applicant shall remit a fee of five hundred dollars (\$500).

(3) For all other structures, the applicant shall remit a fee of one thousand, five hundred dollars (\$1,500).

(4) For churches in conjunction with a special exception, no fee is required.

**(m) Other related fees; refunds.**

**(1) Sign posting fees.**

(A) In addition to the filing fee, a fee of Thirty Dollars (\$30.00) shall be paid for posting each public notice sign, except as provided below.

(B) Where the application involves a public utility right-of-way, the fee shall be Thirty Dollars (\$30.00) each for the first four (4) signs, plus Five Dollars (\$5.00) for each sign over four (4).

(C) The Department of Environmental Resources shall not be required to pay a sign posting fee for any application or petition filed.

(D) An applicant shall not be required to pay a sign posting fee for any application for a Special Exception to establish a church.

(2) **Revision of approved plan fees.** With the filing of each application for the revision of an approved plan, a fee equal to fifty percent (50%) of the filing fee, shall be paid, except as otherwise provided.

**(3) Fees for amendment of applications.**

(A) If an application is amended by increasing the total area of the property, the appropriate additional fees (including filing and sign posting fees) for the additional land shall be paid (except where this land was the subject of another application that was withdrawn for the purpose of adding the land to the subject application).

(B) If an application is amended by requesting a different zoning classification



1 or special exception use, and if the new zone or special exception use has a greater filing fee than  
 2 previously requested, the difference shall be paid.

3 **(4) Refunds and waivers.**

4 (A) No part of a fee shall be refunded or waived unless the Planning Board  
 5 determines that one (1) of the following applies:

6 (i) The fee was paid by mistake, and the applicant has requested (in  
 7 writing) a refund.

8 (ii) The application is filed by (or on behalf of) any department or agency  
 9 of the County, or any municipal, State, or Federal government, except as otherwise provided.

10 (iii) Filing fee (original application).

11 (aa) A request to withdraw an application is received in proper form  
 12 prior to the public release of the Technical Staff Report. In this case, fifty percent (50%) of the  
 13 filing fee shall be refunded.

14 (bb) A request to withdraw an application is received in proper form  
 15 after the public release of the Technical Staff Report. In this case, twenty-five percent (25%) of  
 16 the filing fee shall be refunded.

17 (iv) An error was made on an approved application through governmental  
 18 action, and the filing of an additional application is necessary to correct the error. In this case,  
 19 all fees may be refunded.

20 (v) An application is filed and property rezoned because of a clear mistake  
 21 by a governmental agency in the adoption of a Sectional Map Amendment. In this case, the  
 22 Council may direct the refunding of all fees.

23 (vi) Sign posting fee.

24 (aa) The application is withdrawn prior to the posting of the sign. In  
 25 this case, the entire sign posting fee shall be refunded.

26 (bb) The application is withdrawn after the posting of the sign(s). In  
 27 this case no portion of the sign posting fee will be refunded.

28 (B) The refund provisions of subparagraph (4)(A)(iii) do not apply to:

29 (i) Any application which is for property within the boundaries of a  
 30 Sectional Map Amendment and the application was pending upon transmittal of the Sectional  
 31 Map Amendment to the District Council (provided the Sectional Map Amendment is approved  
 32 by the District Council); or

(ii) Any portion of property subject to a Zoning Map Amendment application which has been withdrawn and then added by amendment to another application on adjoining land. That portion of the property which was withdrawn (but not added to the other application) shall be entitled to a refund under the provisions of subparagraph (6)(A)(iii), above.

**(5) Application in a Revitalization Tax Credit District.** With the filing of each application in a Revitalization Tax Credit District, the fee equal to fifty percent (50%) of the standard fee shall be paid.

SECTION 4. BE IT FURTHER ENACTED that this Ordinance shall take effect January 1, 2003.

Adopted this 18th day of June, 2002

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF  
THE MARYLAND-WASHINGTON REGIONAL  
DISTRICT IN PRINCE GEORGE'S COUNTY,  
MARYLAND

BY: \_\_\_\_\_  
Peter A. Shapiro  
Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Acting Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.