

**TOWN OF LEESBURG
NOTICE OF PUBLIC HEARING**

**TO CONSIDER AMENDMENTS TO THE
LEESBURG LAND DEVELOPMENT FEE SCHEDULE**

Pursuant to Section 15.2-107, 15.2-2114, 15.2-2240 and 62.1-44.15:27 through 62.1-44.15:36 of the Code of Virginia, 1950, as amended, the **LEESBURG TOWN COUNCIL** will hold a public hearing on **TUESDAY, MAY 13, 2014 at 7:30 p.m.** in the Town Council Chambers in Town Hall, 25 West Market Street, Leesburg, Virginia, 20176 to consider the following amendments to land development fees:

1. **Attachment “A”** is being added to the **Town of Leesburg Land Development Review and Inspection FEE Schedule** to cover the new fees associated with the Town now reviewing and performing inspections for all VSMP permits previously done by DEQ.

Attachment “A” to the Town of Leesburg Land Development Review and Inspection Fee Schedule Stormwater Management Fees – Draft January 2, 2014		
Stormwater Management Fees		
INITIAL LAND-DISTURBING ACTIVITY	Total Fee	Portion Paid to DEQ
General/Stormwater Management – Small Activity (areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$290	\$81
General/Stormwater Management – Small Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 1 acre and less than 5 acres)	\$2,700	\$756
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 5 acres and less than 10 acres)	\$3,400	\$952
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 10 acres and less than 50 acres)	\$4,500	\$1,260
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 50 acres and less than 100 acres)	\$6,100	\$1,708
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 100 acres)	\$9,600	\$2,688

MODIFICATIONS OR TRANSFERS	FEE
General/Stormwater Management – Small Activity (areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$20
General/Stormwater Management – Small Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 1 acre and less than 5 acres)	\$200
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 5 acres and less than 10 acres)	\$250
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 10 acres and less than 50 acres)	\$300
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 50 acres and less than 100 acres)	\$450
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 100 acres)	\$700
PERMIT MAINTENANCE	FEE
General/Stormwater Management – Small Activity (areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$50
General/Stormwater Management – Small Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 1 acre and less than 5 acres)	\$400
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 5 acres and less than 10 acres)	\$500
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 10 acres and less than 50 acres)	\$650
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 50 acres and less than 100 acres)	\$900
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 100 acres)	\$1,400

2. The Town of Leesburg Land Development Review and Inspection Fee Schedule is being revised to modify fees for Site Plan Waiver Applications:

Site Plan Waiver	\$500.00 per submission																
Site Plan Waiver (Residential)	\$500.00 plus inspection costs for proposed public improvements as noted below (up to 2 submissions) <table border="0"> <thead> <tr> <th><u>Type of Public Improvement</u></th> <th><u>Unit Rate</u></th> </tr> </thead> <tbody> <tr> <td>Storm Sewer</td> <td>\$4.00 per linear foot</td> </tr> <tr> <td>Water Main</td> <td>\$1.90 per linear foot</td> </tr> <tr> <td>Curb & Gutter</td> <td>\$1.25 per linear foot</td> </tr> <tr> <td>Sidewalk</td> <td>\$1.50 per linear foot</td> </tr> <tr> <td>Sanitary Sewer</td> <td>\$2.15 per linear foot</td> </tr> <tr> <td>Street</td> <td>\$2.00 per linear foot</td> </tr> <tr> <td>Other Major Utility Facilities</td> <td>1.5 % of construction costs</td> </tr> </tbody> </table>	<u>Type of Public Improvement</u>	<u>Unit Rate</u>	Storm Sewer	\$4.00 per linear foot	Water Main	\$1.90 per linear foot	Curb & Gutter	\$1.25 per linear foot	Sidewalk	\$1.50 per linear foot	Sanitary Sewer	\$2.15 per linear foot	Street	\$2.00 per linear foot	Other Major Utility Facilities	1.5 % of construction costs
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Site Plan Waiver (Non-Residential) Subsequent Submissions	\$750.00 per each subsequent submission (after second submission)																
SitePlan Waiver (Non-residential) Signature Sets	\$500.00																

Copies of these proposed amendments to the Leesburg Land Development Fee Schedule are available at the Department of Plan Review, 2nd floor, Town Hall, 25 West Market Street, Leesburg, Virginia, 20176, during normal business hours (Monday-Friday, 8:30 a.m. to 5:00 p.m.), or by calling Wanda Ruffner at 703-771-2740. The amendments may also be examined on the Town's web page at <http://www.leesburgva.gov/index.aspx?page=19&parent=12562>. This Fee Schedule amendment application is identified as case number TLOA-2014-0006.

At this hearing, all persons desiring to express their views concerning these matters will be heard. Persons requiring special accommodations should contact The Clerk of Council, Lee Ann Green at 703-771-2733 three days in advance of the meeting. For TTY/TDD service, use the Virginia Relay Center by dialing 711.

AD to run: 5/1 & 5/8/2014

ATTACHMENT 1

Changes to the Ordinance for Fee Schedule Changes

Modifies Fees for Different types of Site Plan Waivers

Draft revisions through April 23, 2014

Site Plan Waiver	\$500.00 per submission																
Site Plan Waiver (Residential)	<p>\$500.00 plus inspection costs for proposed public improvements as noted below (up to 2 submissions)</p> <table border="0"> <thead> <tr> <th><u>Type of Public Improvement</u></th> <th><u>Unit Rate</u></th> </tr> </thead> <tbody> <tr> <td>Storm Sewer</td> <td>\$4.00 per linear foot</td> </tr> <tr> <td>Water Main</td> <td>\$1.90 per linear foot</td> </tr> <tr> <td>Curb & Gutter</td> <td>\$1.25 per linear foot</td> </tr> <tr> <td>Sidewalk</td> <td>\$1.50 per linear foot</td> </tr> <tr> <td>Sanitary Sewer</td> <td>\$2.15 per linear foot</td> </tr> <tr> <td>Street</td> <td>\$2.00 per linear foot</td> </tr> <tr> <td>Other Major Utility Facilities</td> <td>1.5 % of construction costs</td> </tr> </tbody> </table>	<u>Type of Public Improvement</u>	<u>Unit Rate</u>	Storm Sewer	\$4.00 per linear foot	Water Main	\$1.90 per linear foot	Curb & Gutter	\$1.25 per linear foot	Sidewalk	\$1.50 per linear foot	Sanitary Sewer	\$2.15 per linear foot	Street	\$2.00 per linear foot	Other Major Utility Facilities	1.5 % of construction costs
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Site Plan Waiver (Non-residential) Signature Sets	\$500.00																

ATTACHMENT 2

Changes to the Ordinance for Fee Schedule Changes

Adds New Fees for Stormwater Management

Draft revisions through April 23, 2014

Attachment “A” to the Town of Leesburg Land Development Review and Inspection Fee Schedule

Stormwater Management Fees – Draft April 23, 2014

Stormwater Management Fees¹

INITIAL LAND-DISTURBING ACTIVITY:	Total Fee	Portion Paid to DEQ ²
<p>The following fees must be paid by the applicant to the Town prior to the issuance of the general permit defined in Town Code Section 14-19 and prior to the issuance of any grading, building, land-disturbing, or similar permit regulated in accordance with Town Code Section 14-23. When a site or sites has been purchased for development within a previously permitted common plan of development or sale, the applicant shall be subject to fees in accordance with the disturbed acreage of their site or sites.</p> <p>Persons whose coverage under the general permit has been revoked shall apply to the Virginia Department of Environmental Quality (DEQ) for an Individual Permit for Discharges of Stormwater from Construction Activities.</p>		
General/Stormwater Management – Small Residential Activity (single family detached residential areas within or outside a common plan of development or sale, that is equal to or greater than one acre but less than five acres)	\$209	\$0
General/Stormwater Management – Small Activity (areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$290	\$81
General/Stormwater Management – Small Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 1 acre and less than 5 acres)	\$2,700	\$756
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General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or	\$9,600	\$2,688

greater than 100 acres)		
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<p>MODIFICATIONS OR TRANSFERS:</p> <p>The following fees must be paid to the Town prior to the modification or transfer of general permit registration statements issued by the State Water Control Board. If the general permit modification results in changes to stormwater management plans that require additional review by the Town, such reviews shall be subject to the fee in this table. The fee assessed shall be based on the total disturbed acreage of the site. In addition to the modification fee, modifications resulting in an increase in total disturbed acreage shall pay the difference in the actual initial permit fee paid and the permit fee that would have been applied for the total disturbed acreage in accordance with initial land-disturbing activity table above.</p> <p>Fees shall not be assessed to the following:</p> <ol style="list-style-type: none"> 1. Permittees who request minor modifications to general permits as defined in Town Code Section 14-19. Permit modifications at the request of the permittee resulting in changes to the stormwater management plan that require additional review by the director shall not be exempt. 2. Permittees whose general permits are modified or amended at the initiative of DEQ, excluding errors in the registration statement identified by the Town or errors related to the acreage of the site. 	
General/Stormwater Management – Small Activity (areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$20
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General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 100 acres)	\$700
<p>PERMIT MAINTENANCE:</p> <p>General permit coverage maintenance fees shall be paid annually to the Town, by the anniversary date of general permit coverage. No permit will be reissued or automatically continued without payment of the required fee. General permit coverage maintenance fees shall be applied until the permit coverage is terminated. Permit maintenance fees shall apply to expired permits that have been administratively continued.</p>	
General/Stormwater Management – Small Activity (areas within common plans	\$50

of development or sale with land disturbance acreage less than 1 acre)	
General/Stormwater Management – Small Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 1 acre and less than 5 acres)	\$400
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 5 acres and less than 10 acres)	\$500
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 10 acres and less than 50 acres)	\$650
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 50 acres and less than 100 acres)	\$900
General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 100 acres)	\$1,400

¹All incomplete payments will be deemed as nonpayments, and the applicant shall be notified of any incomplete payments. Interest shall be charged for late payments at the underpayment rate set forth in Code of Virginia § 58.1-15 and is calculated on a monthly basis at the applicable periodic rate. A 10% late payment fee shall be charged to any delinquent account, defined as over 90 days past due. The Town is entitled to all remedies under the Code of Virginia in collecting any past due amount.

²This is the portion of the total fee that is paid to the Virginia Department of Environmental Quality (DEQ). If the project is completely administered by DEQ such as may be the case for a state or federal project or projects covered by individual state permits, the entire applicant fee shall be paid to DEQ.

PRESENTED: May 13, 2014

ORDINANCE NO: _____

ADOPTED: May 13, 2014

AN ORDINANCE: TO REVISE THE TOWN OF LEESBURG LAND DEVELOPMENT REVIEW AND INSPECTION FEE SCHEDULE, November 30, 2010, AS AMENDED.

The Town Council of the Town of Leesburg, Virginia, ordains:

SECTION I. That THE TOWN OF LEESBURG'S LAND DEVELOPMENT REVIEW

AND INSPECTION FEE SCHEDULE, November 30, 2010, be and the same hereby is amended

to read as follows:

Site Plan Waiver	\$500.00 per submission
Site Plan Waiver (Residential)	\$500.00 plus inspection costs for proposed public improvements as noted below (up to 2 submissions) <u>Type of Public Improvement</u> <u>Unit Rate</u> Storm Sewer \$4.00 per linear foot Water Main \$1.90 per linear foot Curb & Gutter \$1.25 per linear foot Sidewalk \$1.50 per linear foot Sanitary Sewer \$2.15 per linear foot Street \$2.00 per linear foot Other Major Utility Facilities 1.5 % of construction costs
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AN ORDINANCE: TO REVISE THE TOWN OF LEESBURG LAND DEVELOPMENT REVIEW AND INSPECTION FEE SCHEDULE, November 30, 2010, AS AMENDED.

Attachment “A” to the Town of Leesburg Land Development Review and Inspection Fee Schedule

Stormwater Management Fees – Draft April 23, 2014

Stormwater Management Fees¹		
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AN ORDINANCE: TO REVISE THE TOWN OF LEESBURG LAND DEVELOPMENT REVIEW AND INSPECTION FEE SCHEDULE, November 30, 2010, AS AMENDED.

<p>MODIFICATIONS OR TRANSFERS:</p> <p>The following fees must be paid to the Town prior to the modification or transfer of general permit registration statements issued by the State Water Control Board. If the general permit modification results in changes to stormwater management plans that require additional review by the Town, such reviews shall be subject to the fee in this table. The fee assessed shall be based on the total disturbed acreage of the site. In addition to the modification fee, modifications resulting in an increase in total disturbed acreage shall pay the difference in the actual initial permit fee paid and the permit fee that would have been applied for the total disturbed acreage in accordance with initial land-disturbing activity table above.</p> <p>Fees shall not be assessed to the following:</p> <ol style="list-style-type: none"> 1. Permittees who request minor modifications to general permits as defined in Town Code Section 14-19. Permit modifications at the request of the permittee resulting in changes to the stormwater management plan that require additional review by the director shall not be exempt. 2. Permittees whose general permits are modified or amended at the initiative of DEQ, excluding errors in the registration statement identified by the Town or errors related to the acreage of the site. 	
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<p>PERMIT MAINTENANCE:</p> <p>General permit coverage maintenance fees shall be paid annually to the Town, by the anniversary date of general permit coverage. No permit will be reissued or automatically continued without payment of the required fee. General permit coverage maintenance fees shall be applied until the permit coverage is terminated. Permit maintenance fees shall apply to expired permits that have been administratively continued.</p>	
General/Stormwater Management – Small Activity (areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$50
General/Stormwater Management – Small Activity (sites or areas within	\$400

AN ORDINANCE: TO REVISE THE TOWN OF LEESBURG LAND DEVELOPMENT REVIEW AND INSPECTION FEE SCHEDULE, November 30, 2010, AS AMENDED.

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General/Stormwater Management – Large Activity (sites or areas within common plans of development or sale with land disturbance acreage equal or greater than 5 acres and less than 10 acres)	\$500
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²This is the portion of the total fee that is paid to the Virginia Department of Environmental Quality (DEQ). If the project is completely administered by DEQ such as may be the case for a state or federal project or projects covered by individual state permits, the entire applicant fee shall be paid to DEQ.

SECTION II. The Town of Leesburg’s Land Development Review and Inspection Fee Schedule (which modifies Site Plan Waiver Fees) shall become effective upon the date and at the time of its final passage. Attachment A to the Town of Leesburg’s Land Development Review and Inspection Fee Schedule (which adds *new* Stormwater Management Fees) shall become effective July 1, 2014.

SECTION III. If any provision of this Ordinance is declared invalid, the decision shall not affect the validity of the Ordinance as a whole or any remaining provisions of the Ordinance.

AN ORDINANCE: TO REVISE THE TOWN OF LEESBURG LAND DEVELOPMENT
REVIEW AND INSPECTION FEE SCHEDULE, November 30, 2010,
AS AMENDED.

PASSED this ____ day of _____ 2014.

Kristen C. Umstatt, Mayor
Town of Leesburg

ATTEST:

Clerk of Council