

**AN ORDINANCE
AMENDING THOSE PORTIONS OF
CHAPTER 2 / ARTICLE V / DIVISION 2 / SECTION 2 - 137
DEALING WITH FEES**

Section 1.0 - Purpose of Amendment, Finding

WHEREAS, there is a need to add fees for review of Tax Increment Financing District proposals, Form-Based Zoning District Land Development applications, and 208 Water Quality Management Plan amendments, and

WHEREAS, there is a need to clarify fees for applications such as Form-Based Zoning District Rezoning, Development Agreements, Site Plan Review, and Zoning Permits, and

WHEREAS, County staff has reviewed the fees charged by other local governments for the above-stated applications, and

WHEREAS, Council finds that fees for these applications should be established in the County's Fee Schedule.

NOW, THEREFORE, be it ordained by Charleston County Council, in meeting duly assembled, as follows:

Section 2.0 - Text Change:

The pertinent portions of Section 2 - 137 of the Charleston County Code of Ordinances entitled "Schedule established" are hereby amended as follows:

County Council hereby establishes the fees of the below-listed services and authorizes the specified fee amounts by the appropriate department of the County government prior to the service being performed:

1. Zoning and Planning Department

- a. Change "Planning Department" to "Zoning and Planning Department" and add the following language: Zoning and Planning Department fees that are based on acreage include highland acreage and freshwater wetland acreage; OCRM Critical Line acreage is excluded from fee calculations.

- b. Form-Based Zoning District Rezoning and Land Development Applications.

Service	Fee
<p>Form-Based Zoning District (FBZD) Rezoning and Land Development Application Fees (unless specifically addressed in letters a – i below, refer to the Fee Schedule for all other applicable fees). Applicants may be required by Council to provide funds to the County to hire third party consultants and/or experts necessary to assist the County in reviewing and evaluating the applications listed below.</p>	
<p>a. New FBZD Rezoning Applications</p>	<p>\$150 + \$10/acre of the FBZD</p>
<p>b. Amendments to Approved FBZD Form District Master Plans. Note: The Planning Director shall be authorized to make determinations regarding categorization of amendments not specifically addressed below as Major or Minor amendments.</p>	
<p>i. Minor Amendments:</p> <ul style="list-style-type: none"> (a) Text amendments other than those associated with Major Amendments, as defined below (b) Changes to existing Transect Zones and/or related dimensional standards (c) Addition of new uses (d) Changes to existing uses 	<p>\$1,000</p>
<p>ii. Major Amendments:</p> <ul style="list-style-type: none"> (a) Changes to approved Sector Maps (b) Changes to approved Settlement Maps (when Sectors are not utilized) (c) Increases in overall density (d) Addition of new Transect Zones and related dimensional standards (e) Addition of new Special Districts (f) Amendments to approved Special Districts (acreage, text, dimensional standards, and/or map location(s)) (g) Addition of new complex Thoroughfare Types and Assemblies that utilize components not included in ZLDR Tables 7.4.G and 7.4.L and new Thoroughfare Types proposed at time of Community Plan submittal 	<p><u>Major Amendments to FBZDs that ARE part of Developments of County Significance:</u> \$150 + \$10/acre for the 25% acreage + \$1/acre for the 75% Acreage*</p> <p><u>Major Amendments to FBZDs that are NOT part of Developments of County Significance:</u> \$150 + \$10/acre of the FBZD*</p> <p>*Note: The fee for the addition of new Special Districts and/or amendments to approved Special Districts shall be \$150 + \$10/acre of the proposed Special District(s), including any proposed increases in Special District size.</p>
<p>c. Special Districts Requiring Planning Commission Approval</p>	<p>\$150 + \$10/acre for the total acreage of the Special District(s)</p>
<p>d. Community Unit Tract Boundary Subdivision</p>	<p>Subdivision fees contained in this Fee</p>

	Ordinance apply
e. Special District Tract Boundary Subdivision	Subdivision fees contained in this Fee Ordinance apply
f. Infrastructure Plan Subdivision	Subdivision fees contained in this Fee Ordinance apply
g. Community Plan Review (New Plans and Amendments to Approved Plans)	\$150 + \$10/acre of the Community Unit
h. Special District Plan Review (New Plans and Amendments to Approved Plans)	\$150 + \$10/acre of the Special District
i. Lot, Block, and Building Plans (New Plans and Amendments to Approved Plans). Other Subdivision and Site Plan Review Fees contained in this Fee Schedule do not apply	
i. Residential Lots or Units	\$250 + \$50 per unit or lot
ii. Commercial/Industrial Lots or Mixed Use Buildings – Up to 10,000 Square Feet	\$250 + \$0.03 per square foot
iii. Commercial/Industrial Lots or Mixed Use Buildings –10,000 Square Feet or More	\$500 + \$0.03 per square foot
iv. Institutional	\$250 + \$0.03 per square foot

c. Development Agreement Applications

Service	Fee
Development Agreement Application Fees	<p><u>Delete current language and replace with:</u></p> <ul style="list-style-type: none"> • \$750 + \$10/acre; and • Applicants may be required by Council to provide funds to the County to hire third party consultants and/or experts necessary to assist the County in reviewing and evaluating the application.

d. Site Plan Review (Limited Site Plan Review Fees to remain as currently adopted)

Service	Fee
a. Up to 5,000 square feet building size or up to 10 acres if no buildings are included in the application	\$250

b. Greater than 5,000 square feet building size or 10 acres or more if no buildings are included in the application	\$500
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e. Zoning Permits

Service	Fee
Commercial and Industrial Zoning Permits	
a. Up to 5,000 square foot building size	\$50
b. 5,000 SF and greater building size	\$75

f. Delete Zoning Waiver Fee

2. County Council

Service	Fee
Review of Tax Increment Financing (TIF) District and Residential Improvement District (RID) Proposals	<ul style="list-style-type: none"> The fee is equivalent to 0.005 multiplied by the requested County's portion of the proposed TIF or RID District; and Applicants may be required by Council to provide funds to the County to hire third party consultants and/or experts necessary to assist the County in reviewing and evaluating the application.

3. 208 Water Quality Management Plan Amendments

Service	Fee
208 Water Quality Management Plan Amendments	<ul style="list-style-type: none"> \$500.00; and Comprehensive Plan Amendment fee (if applicable); and Applicants may be required by Council to provide funds to the County to hire third party consultants and/or experts necessary to assist the County in reviewing and evaluating the application.

Section 3.0 – Severability

If any provision of this ordinance or its application to any circumstance is held by a court of competent jurisdiction to be invalid for any reason, this holding does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

Section 4.0 - Effective dates; severability

This ordinance shall be effective immediately following approval at third reading. The changes in the Administrative code shall be effective as of approval of third reading.

First Reading: September 24, 2013

Second Reading: October 8, 2013

Public Hearing: October 22, 2013

Third Reading: October 22, 2013