



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of February 23, 2019

**DATE:** February 15, 2019

**SUBJECT:** Request to authorize advertisement of public hearings by the Planning Commission and County Board to consider a proposed amendment to the Zoning Fee Schedule to provide a fee for the review of Conceptual Site Plan applications.

#### **C. M. RECOMMENDATION:**

Authorize the advertisement of public hearings by the Planning Commission on March 4, 2019, and the County Board on April 4, 2019, to consider a proposed amendment to the Zoning Fee Schedule to provide a fee for the review of Conceptual Site Plan applications.

**ISSUES:** This is a request to authorize advertisement of a proposed amendment to the Zoning Fee Schedule for Conceptual Site Plan applications. The proposed amendment was discussed at the January 23, 2019 meeting of the National Association of Industrial and Office Properties (NAIOP) Arlington Government Relations Committee and will be presented to the Site Plan Review Committee (SPRC) on February 25, 2019. Further, this item will be heard by the Planning Commission at their March 2019 public hearing. No outstanding issues have been identified with this proposal.

**SUMMARY:** In 2016, Administrative Regulation 4.1 was amended to provide a new type of application known as “Conceptual Site Plan.” The purpose of the Conceptual Site Plan application is to allow prospective site plan applicants the opportunity to receive preliminary comments from Arlington County staff prior to finalizing a site plan application for formal submission. By design, Conceptual Site Plan applications should identify potential issues of conflict so that they may be addressed with the formal submission of a site plan application, thus reducing the overall public review period for the eventual site plan application.

Since implementation of the Conceptual Site Plan application, seventeen (17) applications have been submitted and reviewed by staff. At the present time, there is no fee associated with the review of Conceptual Site Plan applications. Staff has analyzed the amount of time and staff resources associated with the review of Conceptual Site Plan applications and believes that

County Manager:

County Attorney:

# 27. H.

Staff: Aaron Shriber, DCPHD, Planning Division  
Alexus Guilliod, DCPHD, Business Operations

charging a fee would be appropriate. Each Conceptual Site Plan application requires approximately thirty (30) days and eighty (80) hours of review and analysis by an interdepartmental team of staff members from the Department of Community Planning, Housing and Development (DCPHD), Department of Environmental Services (DES), Department of Parks and Recreation (DPR), and Arlington Economic Development (AED). Considering the amount of effort devoted to the review of Conceptual Site Plan applications, staff proposes a fee of \$5,800. Additionally, staff proposes to suspend acceptance of further Conceptual Site Plan applications while application forms are revised and additional information regarding the processing of Conceptual Site Plan applications is created and posted to the County's website.

**BACKGROUND:** In 2016, Administrative Regulation 4.1 was amended to provide for a new application type, Conceptual Site Plan, which was intended to provide a formal review process for prospective site plan applications. The purpose of the Conceptual Site Plan application is to allow prospective site plan applicants the opportunity to obtain staff comments on a proposal prior to proceeding with the preparation of site plan materials. Currently, no fee is associated with the review of Conceptual Site Plan applications, which was an intentional decision at the creation of this application type with the expectation that the potential for a fee would be analyzed in the future.

Administrative Regulation 4.1 Section 2.C provides the framework for the submission and review of Conceptual Site Plan applications, as follows:

Conceptual Site Plan Submittal Requirements: Prior to submission of a preliminary application, prospective applicants are encouraged to submit an application form with supporting documentation requesting review by County staff of a conceptual site plan for proposed development (See Attachment Q). The purpose of the Conceptual Site Plan Review is to allow prospective applicants who are in the initial phase of developing a site plan proposal to discuss potential development applications with a core interdepartmental team of Arlington County staff prior to the submission of a preliminary application consistent with Section 2.D. The Conceptual Site Plan Submittal and its review process is intended to provide guidance to prospective applicants in the preparation of land use development applications through the preliminary identification of major policy, Zoning Ordinance, County Code, and/or process related issues. Within ten (10) working days of receipt of a completed application form and materials, a meeting between the core interdepartmental staff team and the prospective applicant will be scheduled to review and discuss preliminary comments. Within ten (10) working days of the meeting, staff will prepare and provide to the prospective applicant, a report on its preliminary findings. Should the prospective applicant determine to move forward with a formal 4.1 submission subject to Sections 2.D-E, the report should be included as an exhibit of the formal application to the County. In addition, a prospective Applicant may choose to have a meeting with the Site Plan Review Committee (SPRC) on a conceptual site plan. A meeting with the SPRC will take place once staff has completed its review and issued its report.

To date, seventeen (17) Conceptual Site Plan applications have been submitted, with an average review period of thirty (30) days. Additionally, no Conceptual Site Plan applicants have requested a review of their completed application with the SPRC.

**DISCUSSION:** The Zoning Fee Schedule currently does not require a fee with the submission and review of Conceptual Site Plan applications. Considering the amount of time and effort that staff expends on these applications, staff believes that it is appropriate to require a fee.

Conceptual Site Plan applications provide valuable input from staff, which in theory should provide information to prospective applicants to address prior to submitting their formal site plan application. The intent of the Conceptual Site Plan application is to allow applicants to expend minimal amounts of design effort, and money, on a conceptual design and receive staff comments that could be addressed during the final preparation of materials in anticipation of an eventual site plan application submission. Further, the review of each Conceptual Site Plan application culminates in the preparation of a memo by staff that is then used by the SPRC at the beginning of their public review once a formal site plan application is submitted. This memo provides the SPRC, and the public, information about comments received from staff, which allows their analysis to begin with understanding how applicants have addressed those comments.

After three (3) years of reviewing Conceptual Site Plan applications with no associated fee, staff believes that requiring a fee is appropriate to recover the costs associated with these efforts. The proposed fee (\$5,800) is based upon approximately 80 hours of staff review time, with the bulk of the review time conducted by DCPHD Planning staff and additional efforts by DES, DPR and AED staff members. On average, staff has completed five (5) applications over each of the last three calendar years. Each Conceptual Site Plan application requires a commitment that detracts staff's attention from other work efforts; therefore, staff believes that it is appropriate to require a fee for the review of this application type.

Additionally, staff proposes to suspend the acceptance of further Conceptual Site Plan applications to provide time for DCPHD, Planning Division staff to revise application submission forms and provide additional information regarding the review of this application type on the County's website.

## **PUBLIC ENGAGEMENT:**

### *Level of Engagement:*

**Consult:** This level of engagement is appropriate because the creation of a new fee for the review of Conceptual Site Plans will not alter the review process of this application type; however, it will provide a new fee for applicants. The impacted development community has been informed of this change and has been kept abreast of the public review process for the creation of this fee.

### *Outreach Methods:*

The Conceptual Site Plan application fee proposal was discussed with NAIOP's Arlington Government Relations Committee on January 23, 2019 and will be presented to the SPRC on February 25, 2019. Further, the Planning Commission will hear this fee proposal at their March 2019 public hearing.

*Community Feedback:*

NAIOP members opined that Conceptual Site Plan applications should focus more on staff's interpretation of applicable plans and policies, and provide greater guidance about how a proposal could accomplish competing goals and/or recommendations of applicable plans and policies. Staff agrees with NAIOP members on this point and will address this aspect of the review process with revisions to the submission materials.

**FISCAL IMPACT:** The Planning Program receives approximately five (5) Conceptual Site Plans in any one year. This fee is expected to generate \$29,000 in FY 2020, which is included in the County Manager's Proposed FY 2020 Budget.

**RESOLUTION TO AUTHORIZE ADVERTISEMENT OF PUBLIC HEARINGS BY THE PLANNING COMMISSION ON MARCH 4, 2019 AND THE COUNTY BOARD ON APRIL 4, 2019 TO CONSIDER THE PROPOSED AMENDMENT TO THE ZONING FEE SCHEDULE FOR THE PURPOSE OF PROVIDING A FEE FOR CONCEPTUAL SITE PLAN APPLICATIONS IN ORDER TO PROVIDE FOR THE EFFICIENT ADMINISTRATION OF THE COUNTY'S ZONING ORDINANCE; AND TO PROMOTE THE HEALTH, SAFETY AND GENERAL WELFARE OF THE PUBLIC.**

*The County Board of Arlington County hereby resolves to authorize advertisement of public hearings by the Planning Commission on March 4, 2019 and the County Board on April 2, 2019 to consider an amendment to the Zoning Fee Schedule for the purpose of providing a fee for Conceptual Site Plan application in order to provide for the efficient administration of the County's Zoning Ordinance; and to promote the health, safety and general welfare of the public.*

**ARLINGTON COUNTY, VIRGINIA  
DEPARTMENT OF COMMUNITY PLANNING, HOUSING AND DEVELOPMENT  
ZONING DIVISION  
CONSOLIDATED FEE SCHEDULE FOR APPLICATIONS, VARIOUS PERMITS,  
BUILDING PERMITS AND SUBDIVISION PLATS  
APPLICATION FEES  
UPDATED ~~JULY 14, 2018~~ JULY 1, 2019**

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**FEES FOR ADMINISTRATIVELY-REVIEWED PERMITS AND REQUESTS**

Conceptual Site Plan - \$5,800