

Discussion on Updating Zoning Fees

	Current	2017	2015	2012
Minimum Zoning Permit Fee (without recording fee)	\$30.00	\$30.00	\$30.00	\$30.00
Zoning – Residential Construction per square foot	\$0.20	\$0.20	\$0.20	\$0.20
Zoning – Commercial Construction per square foot	\$0.30	\$0.30	\$0.30	\$0.30
Boundary Line Adjustment (without recording fee)	\$70.00	\$70.00	\$65.00	\$65.00
Certificate of Occupancy (without recording fees)	\$0.00	\$0.00	\$0.00	\$0.00
Conditional Use Review (without recording fees)	---	---	\$300.00	\$150.00
Conditional Use and Site Plan Review (without recording fees)	\$345.00	\$330.00	---	---
Site Plan Review (without recording fees)	\$145.00	\$130.00	\$100.00	\$100.00
Administrative Site Plan Review (without recording fees)	\$50.00	\$50.00	\$50.00	\$50.00
Appeal (without recording fees)	\$155.00	\$140.00	\$100.00	\$150.00
Administrative Subdivision Review (without recording fees)	\$85.00	\$70.00	\$100.00	\$60.00

	Current	2017	2015	2012
Sketch Plan Review	\$70.00	\$0.00	\$0.00	\$0.00
Preliminary Plan Review (3 or less lots) (Base fee) (without recording fees)	\$345.00	\$330.00	\$200 plus \$100 per new unit	\$200 plus \$100 per new unit
Preliminary Plan Review (4 or more lots) (base fee) (without recording fees)	\$445 plus \$50 per lot after the fourth lot	\$430 plus \$50 per lot after the fourth lot	\$400 plus \$100 per new unit	\$400 plus \$100 per new unit
Final Plan Review (3 or less lots) (Base fee) (without recording fees)	\$345.00	\$330.00	---	---
Final Plan Review (4 or less lots) (Base fee) (without recording fees)	\$445.00	\$330.00	---	---
Combined Preliminary and Final Plan Review (3 or less lots) (without recording fees)	\$545.00	\$530.00	N/A	N/A
Combined Preliminary and Final Plan Review (4 or more lots) (base fee) (without recording fees)	\$745.00	\$630.00	N/A	N/A
Rural Road Review	\$200.00	\$200.00	N/A	N/A
Administrative Subdivision Amendment (without recording fees)	\$70.00	\$70.00	\$60.00	\$60.00
DRB Subdivision Amendment (without recording fees)	\$165.00	\$130.00	\$200.00	\$200.00

Factors Taken into Consideration

- Staff time spent reviewing types of permit applications and maintaining permit database
- Overhead costs - Public notices, mailings, supplies, travel mileage, and legal services
- Work provided as a public service to all taxpayers versus work provided exclusively for the benefit of the applicant
- Permitting costs in nearby municipalities

Expenses Involved for Issuing Zoning and DRB Permits

- Postage - \$400 (FY21 Budgeted)
 - Postage is for mailing permits (legal flat), DRB decisions (via certified mail and standard postage), and enforcement. Mailings are a legal requirement.
- Advertising - \$4,000 (FY21 Budgeted minus expected Planning costs)
 - All hearings must be publicly announced in a newspaper or in a radio announcement
 - Actual expenses might be lower than anticipated with the switch in the paper of record
- Travel - \$600 (FY21 Budgeted),
 - To cover travel for site visits and inspections within town
- Legal - \$10,000 (FY21 Budgeted)
 - Legal covers correspondence, and review of contracts, deeds, easements, HOA Agreements and other legal instruments
- Office Supplies - \$4,000 (FY21 Budgeted)
 - For Zoning Permits, meeting agenda, and meeting materials

Distribution of Resources

Zoning

- Half of ZA's time spent on Zoning Permit applications, database maintenance, assistance with permitting, site visits, and CO inspections.
- Postage - 50 percent
- Travel - 50 percent
- Legal - 20 percent

DRB

- Half of ZA's time spent on reviewing DRB applications, corresponding with applicants on application questions, corresponding with town staff on impacts, site visits, advising the DRB during meetings, and writing meeting minutes.
- Postage - 50 percent
- Advertising
- Travel - 50 percent
- Legal - 80 percent

Breakdown of Zoning Administrator's time and Permit Review

- Zoning Permits - Including correspondence, Certificates of Occupancy (if needed), and database management
 - 5 hours per permit application
- Site Plan Review only
 - 3 hours per permit application
- Conditional Use Review (including concurrent Site Plan Review)
 - 10 hours per permit application
- Subdivision
 - Sketch Plan Review - 2 hours per permit application
 - Preliminary Plan Review - 5 hours per permit application
 - Final Plan Review - 3 hours per permit application
 - Amendments - 2 hours per permit application
- Appeals
 - 5 hours of Town Planner's time

Cost Assumptions

- Previous Zoning Administrator at 20 hours per week
 - Time spent reviewing applications may be subject to change with the increase in hours for the Zoning Administrator
- FY22 Budget
- Current Zoning Regulations
 - Changing certain regulations and requirements in the next year could affect the number of DRB and Zoning Permit applications, which would affect revenue

Permit Revenue Comparison with Other Towns

	Richmond	Hinesburg	Jericho	Underhill	Williston
Zoning Revenue (FY22 Budgeted)	\$189,299	\$205,720	\$213,954	\$109,853	\$445,646
Total Planning and Zoning Expenditures (FY22 Budgeted)	\$22,000	\$43,000	\$22,000	\$27,000	\$150,000
Percent covered	11.6	20.9	10.3	24.6	33.6

Why does this matter? -- General philosophy: The land development ordinances benefits everyone in town, but has a particular benefit on the applicant. Therefore, the costs should be shared accordingly. Looking at how much nearby municipalities charge helps determine what percent of the cost should be part of the permit fee, and what percent should be covered by the general fund

	Richmond	Hinesburg	Jericho	Underhill
Minimum Zoning Permit Fee (without recording fee)	\$30.00	---	*See note	*See note
Zoning – Residential Construction per square foot	\$0.20	\$0.40 for residential dwellings \$0.30 for accessory structures	*See note	*See note
Zoning – Commercial Construction per square foot	\$0.30	\$0.50	\$500.00 plus \$5 per 100 square feet	\$0.50 per square foot
Boundary Line Adjustment (without recording fee)	\$70.00	\$75.00	\$100.00	\$100.00
Certificate of Occupancy (without recording fees)	\$0.00	\$0.00	\$75.00	\$75.00
Conditional Use Review (without recording fees)	---	\$300.00	\$150.00	\$150.00
Conditional Use and Site Plan Review (without recording fees)	\$300.00	---	\$150.00	---
Site Plan Review (without recording fees)	\$100.00	\$300.00	\$150.00	\$150.00
Administrative Site Plan Review (without recording fees)	\$50.00	\$75.00		N/A
Appeal (without recording fees)	\$110.00	\$200.00	\$150.00	\$150.00
Administrative Subdivision Review (without recording fees)	\$70.00	N/A	N/A	\$150.00

**Fees vary based on types of residential uses, and types of structures*

	Richmond	Hinesburg	Jericho	Underhill
Sketch Plan Review	\$85.00	\$200.00	\$100.00 (Fee can be applied to Final Plan Review)	\$0.00
Preliminary Subdivision (3 or less lots) (Base fee) (without recording fees)	\$300.00	\$300.00 or \$100 per lot/unit	N/A	\$200 plus \$100 per new unit
Preliminary Subdivision (4 or more lots) (base fee) (without recording fees)	\$400 plus \$50 per each additional lot after the first four lots	\$300.00 or \$100 per lot/unit	\$500 plus \$100 per new lot/unit	\$400 plus \$100 per new unit
Final Subdivision (3 or less lots) (without recording fees)	\$300.00	\$400.00 or \$200 per lot/unit	\$250 plus \$100 per new lot/unit	---
Final Subdivision (4 or more lots) (without recording fees)	\$400.00	\$300.00 or \$100 per lot/unit	\$250 plus \$100 per new lot/unit	---
Combined Preliminary and Final Subdivision (3 or less lots) (without recording fees)	\$500.00	N/A	N/A	N/A
Combined Preliminary and Final Subdivision (4 or more lots) (base fee) (without recording fees)	\$700.00	N/A	N/A	N/A
Rural Road Review	\$200.00	N/A	N/A	N/A
Administrative Subdivision Amendment (without recording fees)	\$70.00	N/A	N/A	\$60.00
DRB Subdivision Amendment (without recording fees)	\$120.00	\$300	\$150.00	\$200.00

	Richmond	Hinesburg	Jericho	Underhill
2,500 square-foot single-family dwelling	\$500.00	\$1,000	\$700.00	\$1,250.00
560 square-foot accessory apartment (say, a typical Vermod)	\$112.00	\$168.00	\$178.00	\$280.00
10,000 square-foot brewery	\$3,300.00	\$5,300	\$1,290	\$5,150
A three-lot subdivision	\$600.00	\$800.00	\$750.00	\$1,000.00
A six-lot subdivision	\$900.00	\$2,000	\$2,050.00	\$1,600

	Proposed July 2021	Current
Minimum Zoning Permit Fee (without recording fee)	\$50.00	\$30.00
Zoning – Residential Construction per square foot	\$0.40	\$0.20
Zoning – Commercial Construction per square foot	\$0.40	\$0.30
Boundary Line Adjustment (without recording fee)	\$100.00	\$70.00
Certificate of Occupancy (without recording fees)	\$25.00	\$0.00
Conditional Use Review (without recording fees)	\$300.00	---
Conditional Use and Site Plan Review (without recording fees)	x	\$300.00
Site Plan Review (without recording fees)	\$150.00	\$100.00
Administrative Site Plan Review (without recording fees)	\$60.00	\$50.00
Appeal (without recording fees)	\$200.00	\$110.00
Administrative Subdivision Review (without recording fees)	\$85.00	\$70.00

	Proposed December 2020	Current
Sketch Plan Review (No recording fees are applied)	\$100.00*	\$85.00
Preliminary Subdivision Review (3 or less lots) (Base fee) (without recording fees)	X	\$300.00
Preliminary Subdivision Review (4 or more lots) (base fee) (without recording fees)	X	\$400 plus \$50 for each new lot created after the fourth lot
NEW Preliminary Subdivision Application(without recording fees)	\$350 plus \$50 for each new lot/unit created	X
Final Plan Review (3 or less lots) (Base fee) (without recording fees)	X	\$300.00
Final Plan Review (4 or less lots) (Base fee) (without recording fees)	X	\$400.00
NEW Final Subdivision Application (without recording fees)	\$400 plus \$50 for each new lot/unit created	X
Combined Preliminary and Final Plan Review (3 or less lots) (without recording fees)	X	\$500.00
Combined Preliminary and Final Plan Review (4 or more lots) (base fee) (without recording fees)	X	\$700.00
Rural Road Review	\$200.00	\$200.00
Administrative Subdivision Amendment (without recording fees)	\$85.00	\$70.00
DRB Subdivision Amendment (without recording fees)	\$200.00	\$120.00

Rationale for changes

- Bring fee schedule up to align with nearby towns
 - Target for revenue to total expenditures set at 20 percent
 - Projected revenue based on 2020 permit amounts with suggested permit fees at about \$38,000, about 20 percent of the FY22 budget
- Align staff time reviewing particular applications with the respective application fee
 - For Certificates of Occupancy, staff has to conduct an on-site inspection in order to issue the permit.
- Align Fee Schedule with Regulations
 - Per the Zoning Regulations, if land development triggers Conditional Use Review, it also triggers Site Plan Review, but not with a separate application requirement. Therefore, there is no need for a Conditional Use and Site Plan Review application fee line.
 - The Subdivision Regulations do not have a pathway for combined concurrent Preliminary and Final Plan Review. Thus, it shouldn't be listed on the fee schedule
 - Sketch Plan Review is not part of the formal process. To encourage all subdivision applicants to apply for a Sketch Plan Review to address any concerns before the formal application, I recommend changing the fee for the Sketch Plan to be credit applied for Final Plan Review.

Proposed Fee Schedule compared to nearby municipalities

	Proposed Richmond fee schedule	Current Richmond fee schedule	Hinesburg	Jericho	Underhill
2,500 square-foot single-family dwelling	\$1,000	\$500	\$1,000	\$700	\$1,250
560 square-foot accessory apartment (say, a typical Vermod)	\$224	\$112	\$224	\$225	\$280
10,000 square-foot brewery	\$4,350	\$3,300	\$7,800	\$1,290	\$5,150
A three-lot subdivision	\$1,000	\$600	\$800	\$750	\$1,000
A six-lot subdivision	\$1,350	\$900	\$2,000	\$2,050.00	\$1,600

Draft Motion to Facilitate Action

I, _____, move to amend the Development Permit Fees, effective as of July 1, 2021.



DEVELOPMENT PERMIT FEES

This schedule of fees applies to zoning, subdivision and public works.

Adopted by the Selectboard on August 19th, 2019. Amended ~~9/8/2020~~ 7/1/2021.

All applicants⁶ are required to pay the applicable Zoning Permit fee and Recording Fees for their respective permit applications.

Please note: Subsequent to receiving Development Review Board Approval (DRB), in most cases applicants are required to obtain a Zoning Permit to implement the approved project.

<u>Zoning Applications</u>	<u>Zoning Permit Fee</u>	<u>Document Recording Fees²</u>
Minimum <u>Zoning Permit fee, includes fences, signs and etc. (include permit recording fee)</u>	\$ 45.00	\$15.00
<u>Zoning Permit Fee for Residential and Commercial Construction³ per square foot (including decks, porches and etc.) or \$30.00 whichever is greater *</u>	\$ 0.20 + \$15 recording fee \$0.40 per square foot or \$50.00, whichever is greater ¹	\$15.00
<u>Zoning Permit Fee for Commercial Construction per square foot, or \$30.00 whichever is greater *</u>	\$ 0.30 + \$15 recording fee	\$15.00
Boundary Line Adjustment (includes permit recording fee)	\$ 85.00-\$100.00	\$15.00
Certificate of Occupancy (includes permit recording fee)	\$ 15.00-\$25.00	\$15.00
<u>Conditional Use and Site Plan Review Application⁵ (includes DRB Decision recording fee) ‡</u>	\$360.00	\$60.00
<u>Conditional Use Review Application</u>	\$300.00 ⁵	\$60.00
Site Plan Review Application (includes DRB Decision recording fee) ‡	\$ 160.00-\$150.00 ⁵	\$60.00
Site Plan Review – Administrative Amendment (includes permit recording fee)	\$65.00-\$60.00 ⁵	\$15.00
Appeal of Zoning Administrative Officer Decision (includes DRB Decision recording fee)	170.00-\$200.00 ⁵	\$60.00
As-built Zoning Permits	Double the <u>applicable Zoning Permit fee</u>	\$15.00

<u>Subdivision Applications Approvals (does not include Final Plat Mylar recording fees)</u>	<u>Permit Fee</u>	<u>Document Recording Fee</u>
Administrative Subdivision Review (include permit recording fee)	\$85.00	\$15.00
Sketch Plan Review ⁴	\$85.00-\$100.00	\$0.00
<u>Preliminary Subdivision Review (3 or less lots) (includes DRB Decision recording fee)</u>	\$360.00	
<u>Preliminary Subdivision Review (4 or more lots) (includes DRB Decision recording fee) ‡</u>	\$460.00 for 4 lots plus \$50.00 per each additional lot	
<u>Preliminary Subdivision Application</u>	\$350.00 plus \$50 for each new lot/unit created ⁵	\$60.00
<u>Final Subdivision Review (3 or less lots) (includes DRB Decision recording fee)</u>	\$360.00	
<u>Final Subdivision Review (4 or more lots) (includes DRB Decision recording fee)</u>	\$460.00	
<u>Final Subdivision Application</u>	\$400.00 plus \$50 for each new lot/unit created ⁵	\$60.00
<u>Preliminary & Final Subdivision Review (concurrent reviews) (3 or less lots)</u>	\$560.00	
<u>Preliminary & Final Subdivision Review (concurrent reviews) (4 or more lots) ‡</u>	\$760.00 for 4 lots plus \$50.00 per each additional lot	
Rural Road Plan Review (for the development of a road serving 4 – 9 houses) ‡ (if required independent from a Subdivision Application)	\$200.00 ⁵	\$60.00
Subdivision Amendment - Administrative (includes permit recording fee)	\$85.00	\$15.00
Subdivision Amendment - DRB (includes DRB Decision recording fee)	\$180.00 \$200.00 ⁵	\$60.00

Notes and Footnotes

1. Impact fees may be applicable to certain Residential and Commercial Construction projects. The Impact Fee Schedule per the 2006 Impact Fee Ordinance is as follows:

Impact Fees	Single-Family	Multi-Family/unit	Mobile Home	Non-Residential
* Fire	\$ 218.70	\$ 153.09	\$ 153.09	\$ 0.11 per s.f.

2. Recording fees are set by the State of Vermont pursuant to 32 V.S.A. §1671 with the following rates:

- Document recording—\$15.00 per page
- Survey Plat recording—\$25.00 per plat

Varying document recording fees per application are based on the average number of pages recorded per application type. Applicants are responsible for any applicable Survey Plat recording fees in addition to the listed document recording fees if their application requires a survey plat to be recorded.

3. For residential construction, fee applies livable floor area portion of dwellings as well as finished basement areas, and accessory spaces (garages, decks, porches). For commercial construction, fee applies to all areas on the lot that will used for the commercial use, including all enclosed and unenclosed as well as paved and unpaved areas used for the commercial use (storage, seating areas, etc), and unfinished areas within buildings. Fee applies to changes from unfinished floor area to finished floor area. If the structure does not span, cover, or enclose any areas on a lot, such as signage, flag poles, or fences, the minimum fee of \$50.00 applies.

4. The Sketch Plan Review fee may be applied for credit for the associated Final Plan Review application. If an applicant is reapplying for Sketch Plan Review for a subdivision proposal on the same property and that is unrelated to any prior Final Subdivision applications, the Sketch Plan Review fee is waived. If the applicant withdraws their subdivision application or does not apply for Final Plan Review, the fee paid for the Sketch Plan Review application cannot be reimbursed.

5. Technical Review Fees may apply to these projects upon the request of the Development Review Board. For additional information, refer to *Procedures and Standards for Technical Review Fees*.

6. This Fee Schedule shall not apply to any Town of Richmond, or Town board/committee projects.

7. Fee Waivers. Fees under this schedule may be reduced or waived due to extenuating circumstances. An applicant requesting such reduction or waiver shall provide the request in writing to the Selectboard. The Selectboard shall review the request and make a final determination

8. Refund of Fees. Refunds of fees shall be issued as outlined below. Refunds will also be issued for fee overages calculated in error by the Planning & Zoning Office

- Zoning Permit Fee—application withdrawal
 - 100 percent refund (including recording fees) if requested prior to the permit being issued and the notice being posted on-site
 - No refund if requested after the permit is issued
- DRB review fees—application withdrawal
 - 100 percent refund (including recording fees) if requested before the deadline for applications
 - No refund if requested after the deadline for applications

Highway and Water Resources Department Fees

Highway Department Permit Fees	Residential	Commercial
Town Highway Access Permit (includes recording fee)	\$ 115.00	\$145.00
Use of Public Right-of-Way (includes recording fee)	\$215.00	\$245.00

Highway Department Permit Violation Fees	Landowner Violated	Utility or Contractor Violated
Violation of Right of Way Permit Conditions or Failure to Obtain Right of Way Permit	\$500 and New Permit with Double Fee and single recording fee	\$1000 and New Permit with Double Fee and single recording fee
Violation of Access Permit or Failure to Obtain Access Permit	\$250 and New Permit with Double the Fee and single recording fee	\$500 and New Permit with Double the Fee and single recording fee

Water Resources Department Permit Fees	Private	Public
Utility Connection Permit (includes recording fees and \$500 technical review fee)	\$1500	\$ 1200
Application for Utility Plan Review (includes recording fee)	\$175.00	\$145.00
Excavation in the Water District Permit (includes recording fee) (18" depth or shallower, permit not required)	\$50	
Water and Sewer Allocation and Service Fees: For development on the municipal water and sewer system additional fees apply for new development and changes of use.	Contact Town Manager for rates and approvals.	

Water Permit Violation Fees	Landowner Violated	Utility or Contractor Violated
Failure to Obtain a Utility Connection Permit	\$1000 and New Permit with Double Fee	
Violation of Conditions of an Authorized Utility Connection Permit	\$1000 and New Permit with Double the Fee	
Violation of Conditions of an Authorized Excavation Permit	\$100 and New Permit with Double Fee	\$500 and New Permit with Double Fee
Excavation Permit Not Obtained, DigSafe Permit Obtained	\$200 and New Permit with Double Fee	\$750 and New Permit with Double Fee
Excavation Permit Not Obtained, DigSafe Permit Not Obtained	\$300 and New Permit with Double Fee	\$1000 and New Permit with Double Fee

Repeat offense of any of the above violations shall result in double the violation penalty, and may result in automatic rejection of future permits. Any damage incurred to town infrastructure, with or without proper town permits, shall require immediate repair and the full cost of said repairs shall be the responsibility of the party that caused the damage. Any unpaid fees or fines may result in legal action and/or property liens.



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Zoning Permit Fee for Residential and Commercial Construction ³	\$0.40 per square foot or \$50.00, whichever is greater ¹	\$15.00
Boundary Line Adjustment	\$100.00	\$15.00
Certificate of Occupancy	\$25.00	\$15.00
Conditional Use Review Application	\$300.00 ⁵	\$60.00
Site Plan Review Application	\$150.00 ⁵	\$60.00
Site Plan Review – Administrative Amendment	\$60.00 ⁵	\$15.00
Appeal of Zoning Administrative Officer Decision	\$200.00 ⁵	\$60.00
As-built Zoning Permits	Double the applicable Zoning Permit fee	\$15.00

Subdivision Applications	Permit Fee	Document Recording Fee
Administrative Subdivision Review	\$85.00	\$15.00
Sketch Plan Review ⁴	\$100.00	\$0.00
Preliminary Subdivision Application	\$350.00 plus \$50 for each new lot/unit created ⁵	\$60.00
Final Subdivision Application	\$400.00 plus \$50 for each new lot/unit created ⁵	\$60.00
Rural Road Plan Review (for the development of a road serving 4 – 9 houses) (if required independent from a Subdivision Application)	\$200.00 ⁵	\$60.00
Subdivision Amendment - Administrative	\$85.00	\$15.00
Subdivision Amendment - DRB	\$200.00 ⁵	\$60.00

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Notes and Footnotes (Continued)

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4. The Sketch Plan Review fee may be applied for credit for the associated Final Plan Review application. If an applicant is reapplying for Sketch Plan Review for a subdivision proposal on the same property and that is unrelated to any prior Final Subdivision applications, the Sketch Plan Review fee is waived. If the applicant withdraws their subdivision application or does not apply for Final Plan Review, the fee paid for the Sketch Plan Review application cannot be reimbursed.
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Violation of Right of Way Permit Conditions or Failure to Obtain Right of Way Permit	\$500 and New Permit with Double Fee and single recording fee	\$1000 and New Permit with Double Fee and single recording fee
Violation of Access Permit or Failure to Obtain Access Permit	\$250 and New Permit with Double the Fee and single recording fee	\$500 and New Permit with Double the Fee and single recording fee

Water Resources Department Permit Fees	Private	Public
Utility Connection Permit (includes recording fees and \$500 technical review fee)	\$1500	\$ 1200
Application for Utility Plan Review (includes recording fee)	\$175.00	\$145.00
Excavation in the Water District Permit (includes recording fee) (18" depth or shallower, permit not required)	\$50	
Water and Sewer Allocation and Service Fees: For development on the municipal water and sewer system additional fees apply for new development and changes of use.	Contact Town Manager for rates and approvals.	

Water Permit Violation Fees	Landowner Violated	Utility or Contractor Violated
Failure to Obtain a Utility Connection Permit	\$1000 and New Permit with Double Fee	
Violation of Conditions of an Authorized Utility Connection Permit	\$1000 and New Permit with Double the Fee	
Violation of Conditions of an Authorized Excavation Permit	\$100 and New Permit with Double Fee	\$500 and New Permit with Double Fee
Excavation Permit Not Obtained, DigSafe Permit Obtained	\$200 and New Permit with Double Fee	\$750 and New Permit with Double Fee
Excavation Permit Not Obtained, DigSafe Permit Not Obtained	\$300 and New Permit with Double Fee	\$1000 and New Permit with Double Fee

Repeat offense of any of the above violations shall result in double the violation penalty, and may result in automatic rejection of future permits. Any damage incurred to town infrastructure, with or without proper town permits, shall require immediate repair and the full cost of said repairs shall be the responsibility of the party that caused the damage. Any unpaid fees or fines may result in legal action and/or property liens.