

## Ordinance 2007-19

**AN ORDINANCE** to amend the fees charged by the Town for Land Development related activities, and the Code of the Town of Ashland, Chapter 16 "Streets and Sidewalks," Article I "In General," Sec 16-10 "Connections over shoulders of roads and streets for intersecting private property", Chapter 17, "Subdivision of Land," Article II "General Procedures, Plats and Platting," Division 1 "Generally," Sec 17-17 "Fees," and Division 2 "Preliminary Plat Procedures," Sec 17-22 "Preliminary plat approval required", and Chapter 21, "Zoning," Article XX "Signs," Sec 21-215 "Sign permit fee schedule and bonding requirements."

The amendments to the Town Code, mentioned above are intended to replace the reference to specific fee amounts with reference to the proposed Fee Schedule.

**WHEREAS**, the Planning Commission has held a public hearing on the 12<sup>th</sup> day of December 2007, advertised as required by Virginia Code Sections 15.2-107 and 15.2-2204, and;

**WHEREAS**, the Town Council has held a public hearing on the 15<sup>th</sup> day of January 2008, advertised as required by Virginia Code Sections 15.2-107 and 15.2-2204, and;

**WHEREAS**, the Town is given the grant of authority by Virginia Code Sections 15.2-1125, 15.2-2273, 15.2-2286, and 15.2-2241 to impose reasonable fees to cover the cost of processing and review of land development applications submitted to the Town

**NOW THEREFORE BE IT ORDAINED** by the Council of the Town of Ashland, Virginia that Section 16-10, "Connections over shoulders of roads and streets for intersecting private property" shall be amended to read in part, as follows:

### **CHAPTER 16. STREETS AND SIDEWALKS ARTICLE I. IN GENERAL.**

#### **Sec. 16-10. Connections over shoulders of roads and streets for intersecting private property.**

(a) The town manager shall permit, at places where commercial establishment entrances are desired to intersect roads or streets, or at places where private roads or driveways leading to or from private homes intersect roads or streets, suitable connections from such points of intersection over and across the shoulders and unimproved parts of such roads or streets to the paved or otherwise improved parts thereof, so as to provide for the users of such entrances safe and convenient means of ingress and egress with motor vehicles to and from the paved or otherwise improved parts of such roads or streets; provided, however, that any person desiring such an entrance shall first be required to obtain a right-of-way permit therefor from the town manager at a cost of ~~fifteen dollars (\$15.00)~~ in accordance with the fee schedule established by the Town Council and shall provide a surety or bond in the amount set by the town manager. The applicant shall provide the entrance at his expense and construct or have constructed the same, including such safety structures as are required by the town, pursuant to Virginia Department of Transportation standards.

**BE IT FURTHER ORDAINED BY** the Town Council that Section 17-17, "Procedure for making and recording plats generally" shall be amended to read, as follows:

**CHAPTER 17. SUBDIVISION OF LAND  
ARTICLE II. GENERAL PROCEDURES, PLATS AND PLATTING  
Division 1. Generally**

**Sec. 17-17. Procedure for making and recording plats generally.**

(g) ~~Fees. There shall be a charge for the examination and approval or disapproval of every plat reviewed by the agent. At the time of filing the preliminary plat, or the final plat for minor subdivisions, the subdivider shall deposit with the agent checks payable to the town treasurer in the amount of fifty dollars (\$50.00) per plat for minor subdivisions. For major subdivisions, the fee shall be two hundred fifty dollars (\$250.00) per plat, plus ten dollars (\$10.00) for each lot or two hundred dollars (\$200.00), plus forty dollars (\$40.00) per acre, whichever is greater. These checks are to be deposited in the general fund. Fees for the review of all subdivision plats shall be in accordance with the fee schedule established by the Town Council. All fees shall be paid in full at the time a plat is applied for. The fees indicated above~~ These fees shall include the costs of review of the appropriate erosion and sedimentation control plan as provided for in section 5-10 of the Town Code.

**BE IT FURTHER ORDAINED BY** the Town Council that Section 17-22, "Preliminary plat approval required" shall be amended to read in part, as follows:

**CHAPTER 17. SUBDIVISION OF LAND  
ARTICLE II. GENERAL PROCEDURES, PLATS AND PLATTING  
Division 2. Preliminary Plat Procedures**

**Sec. 17-22. Preliminary plat approval required.**

(a) ~~Application for preliminary plat approval shall be submitted to the agent together with such fees as set forth in section 17-17 of these regulations. The application, and shall then be referred to the planning commission together with the agent's recommendations, for preliminary plat approval, conditional approval, or disapproval. The planning commission shall then forward the preliminary plat to the town council, together with their recommendations for approval, conditional approval or disapproval. Within sixty (60) days of the preliminary plat submission, the subdivider shall be advised in writing, by formal letter or by legible markings on the preliminary plat, of any additional improvements that will have to be made.~~

**BE IT FURTHER ORDAINED BY** the Town Council that Section 21-215, "Sign Permit fee schedule and bonding requirements" shall be amended to read in part, as follows:

**CHAPTER 21. ZONING  
ARTICLE XX. SIGNS.**

**Sec. 21-215. Sign permit fee schedule and bonding requirements.**

(i) ~~Fees. The following fees shall be charged by the town concerning sign permits:  
(1) Application fee (nonrefundable): Five dollars (\$5.00).  
(2) Inspection fee: Twenty-five cents (\$0.25) per square foot (gross sign area). Minimum inspection fee, five dollars (\$5.00). Fees for the review of all sign permits shall be in accordance with the fee schedule established by the Town Council.~~

**BE IT FURTHER ORDAINED BY** the Town Council that the existing Fee Schedule, as maintained by the Zoning Administrator shall be invalidated in its entirety, and replaced with the following:

<b>DEVELOPMENT REVIEW FEE SCHEDULE</b>	<b>Fee</b>
<b>BOARD OF ZONING APPEALS PROCESSES</b>	
<b>Variance</b>	\$800.00
<b>Appeal</b>	\$250.00
<b>All other BZA requests</b> (special exception, interpretation of zoning map)	None
<b>CONDITIONAL USE PERMIT &amp; REZONING PROCESSES</b>	
<b>Conditional Use Permit</b>	\$1,100.00
plus per acre	\$50.00
When applied for in conjunction with Rezoning	\$1,100.00 (with no additional per acre fee)
<b>Rezoning</b>	\$1,100.00
plus per acre	\$50.00
<b>Traffic Impact Analysis Review, if required for CUP or Rezoning</b>	\$1,500.00
<b>MISCELLANEOUS FEES</b>	
<b>Right-of-way permits</b>	\$40.00
<b>Sign permits</b>	\$50.00
<b>Review to Council or Commission as part of a proffered condition</b>	\$250.00
<b>Exceptions to Zoning or Subdivision Ordinance</b>	\$250.00 per code section
<b>SUBDIVISION PROCESSES</b>	
<b>Minor</b>	\$200.00
<b>Major</b>	\$700.00
plus per lot	\$50.00
<b>Vacation of plat</b>	\$150.00
<b>SITE PLAN PROCESSES</b>	
<b>Site Plan</b>	\$800.00
plus per acre	\$50.00
Resubmittal	\$200.00
<b>Land disturbance plan review, when separate from Site Plan</b>	\$200.00
plus per acre	\$50.00

**BE IT FURTHER ORDAINED** by the Town Council that these amendments to The Code of the Town of Ashland, and Fee Schedule shall be effective immediately upon adoption.

Introduced: November 20, 2007

Advertised:  
 Planning Commission: Herald-Progress: November 29, 2007  
 December 6, 2007

Town Council: Herald-Progress December 27, 2007  
 January 3, 2008

Public Hearing:

Planning Commission:  
Town Council:

December 12, 2007  
January 15, 2008

Adopted:  
Effective:

January 15, 2008  
January 15, 2008

