INTRODUCED BY: Joanne Masten	Formatted	
INTRODUCTION DATE: April 9, 2024	Formatted	
PUBLIC HEARING DATE: April 23, 2024	Formatted	
PUBLIC HEARING TIME: 7:00 P.M.	Formatted	
ADOPTED DATE: April 23, 2024	Formatted	
EFFECTIVE DATE: 15 days following Adoption	Formatted	
ORDINANCE <u>24-10</u>	Formatted	
	Formatted	(
DEPARTMENT OF PLANNING SERVICES FEES UPDATE	Formatted	
A O I:	Formatted	
An Ordinance amending § 128, Article XI. Fees Enumerated, §128-42 Department of Planning Services to set various fees charged by the Levy Court,	Formatted	
Services to set various lees charged by the Levy Court,		
WHEREAS, The Kent County Levy Court Commissioners have diligently reviewed fees charged for	Formatted	
services, and	Formatted	(
	Formatted	
WHEREAS, due to the increased costs created by inflation and other factors, the Kent County Levy	Formatted	
Court Commissioners have determined that some fees must be increased to support a balanced	Formatted	
budget and provide reasonable cost recovery for services provided.	Formatted	
NOW, THEREFORE, THE LEVY COURT OF KENT COUNTY, DELAWARE, HEREBY ORDAINS:	Formatted	
NOW, THEREFORE, THE BEYT GOOK! OF KENT GOOK! I, DELAWAKE, HERED! OKDAINS.	Formatted	
Section 1. That § 128-37, Article XI. Fees Enumerated, §128-42, Department of Planning Services.	Formatted	
shall be amended by deleting the following bracketed language shown with strike-through marks,	Formatted	(
adding the following underlined language, and renumbering accordingly:	Formatted	
\$ 120 42 Percentage of SPI anning Commission	Formatted	
§ 128-42 Department of Planning Services.	Formatted	
A. Planning Division. Planning Division fees shall be as follows: [Amended 8-28-2007 by Ord. No. 07-25; 1-27-2015 by Ord. No. 15-01]	Formatted	
Old. No. 07-23, 1-27-2013 by Old. No. 13-01	Formatted	
(1) Administrative applications.	\\	
(a) Minor subdivision (\$200 plus \$20 par lat/\$250 plus \$25 //st	Formatted	
(a) Minor subdivision: [\$\frac{\$200 plus \$20 per lot}{200 plus \$25/lot}.	Formatted	
(b) Minor lot line adjustment: [\$200]\$250.	Formatted	
	Formatted	
(c) Lot consolidation: [\$ <del>200</del> ],\$250.	Formatted	(
(d) Administrative variance: $[\$200]\$250$ (plus $[\$50]\$100$ if public hearing	Formatted	
required).	Formatted	
	Formatted	
(e) Applications requiring adjacent property owner notification:	Formatted	
i. Home occupation/professional office/home-based contractor's	Formatted	
establishment/[accessory_dwelling]school_bus_parking: [\$200]\$300	Formatted	
(plus [\$200]\$250 if public hearing required).	Formatted	
	Formatted	
ii. Community Solar/Communications Tower/Campground (\$500 (plus**) \$250 if public hearing required).	Formatted	
<u>5250 ii public nearing requireaj.</u>		

(f) ECHO: [\$400]<u>\$450</u>.

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	(g) Condo conversion: [\$200]\$250 plus [\$20]\$25 per lot.	Formatted: Font: Cambria
	(h) Second and each subsequent review: [\$\frac{\$100}{100}\$]\\$150.	Formatted: Font: Cambria
		Formatted: Font: Cambria
(2)	Board of Adjustment.	Formatted: Justified, Indent: Left: 0.67"
	(a) 1 to 3 variances: [\$250]\$300.	Formatted: Font: Cambria
	(b) 4 to 6 variances: [\$350]\$400.	Formatted: Justified, Indent: Left: 1"
	(b) 4 to 0 variances. [\$\pi \sigma \sigma \pi \sigma \sigma \pi \sigma \s	Formatted: Font: Cambria
	(c) 7 to 9 variances: [\$400]\$450.	Formatted: Font: Cambria
	(d) 10 or more variances: [\$450]\$500.	Formatted: Font: Cambria
	(e) Code interpretation or administrative appeal: [\$300]\$400 (fee refunded if Board of Adjustment finds in favor of applicant).	Formatted: Font: Cambria
	(f) Variance modification request (within 1 year approval): [\$50]\$75.	Formatted: Font: Cambria
(3)	Comprehensive Plan/Zoning Map Amendment (CZ/Z).	Formatted: Justified, Indent: Left: 0.67"
	(a) CZ/Z - Preapplication meeting: [\$150]\$200.	Formatted: Font: Cambria
	(b) C7/7 Patition to amond Comprehensive Plan and Zoning Many [\$900]\$1 000	Formatted: Justified, Indent: Left: 1"
	(b) CZ/Z - Petition to amend Comprehensive Plan and Zoning Map: [\$800]\$1,000 plus \$50 per acre or fraction thereof.	Formatted: Font: Cambria
	·	Formatted: Font: Cambria
	[ <del>(c) Amendment to Zoning Ordinance: \$600.</del> ]	
(4)	Conditional use (C) - no site plan.	Formatted: Justified, Indent: Left: 0.67"
	(a) C Proapplication meeting [\$150]\$200	Formatted: Font: Cambria
	(a)— <u>_C</u> - Preapplication meeting: [\$150]\$200.	Formatted: Font: Cambria
	[(b) _C - Conditional use - Home occupation/professional office: \$400.	Formatted: Font: Cambria
	(c)C Conditional use Home based contract'or's establishment: \$400.	Formatted: Justified, Indent: Left: 1"
		Formatted: Font: Cambria
	(d) _C - Accessory dwelling: \$400.]	Formatted: Font: Cambria
	2(eb)—_C - Conditional us_e - other: [\$600]\$1,000.	Formatted: Font: Cambria
		Formatted: Font: Cambria
(5)	Site plan (S).	Formatted: Justified, Indent: Left: 0.67"
	(a)— <u></u> S - Preapplication meeting: [\$300]\$400.	Formatted: Font: Cambria
		Formatted: Font: Cambria
	(b)—_S - Application processing fee: [\$\frac{\$600}{2}\$] plus:	Formatted: Justified, Indent: Left: 1"
	[1] [\$35]\$50 per dwelling unit.	Formatted: Font: Cambria
		Formatted: Font: Cambria
	[2] Business, commercial, industrial and other buildings: [\$100]\[ \frac{\$150}{1,000} \] square feet.	Formatted: Font: Cambria
square reet.		Formatted: Justified, Indent: Left: 1.33"
		Formatted: Font: Cambria

	(c) Final plan review fee:	Formatted: Justified, Indent: Left: 1"
	[1] First review: [ <del>\$100</del> ] <u>\$150</u> .	Formatted: Font: Cambria
	[2] [2] [3] [4] [4] [4] [4] [4] [4] [4] [4] [4] [4	Formatted: Justified, Indent: Left: 1.33"
	[2] Second and each subsequent review: [\$ <del>200</del> ] <u>\$250</u> .	Formatted: Font: Cambria
(6)	Conditional use with site plan (CS).	Formatted: Justified, Indent: Left: 0.67"
	(a) CS Preamplication meeting [\$200]\$400	4 (
	(a) CS - Preapplication meeting: [\$300]\$400.	Formatted: Font: Cambria
	(b) CS - Application processing fee: [\$1,000-]\$1,500plus:	Formatted: Font: Cambria  Formatted: Justified, Indent: Left: 1"
	[1] [ <del>\$35</del> ] <u>\$50</u> per dwelling unit.	Formatted: Font: Cambria
	[1] [455] <u>4550</u> per uwening unit.	Formatted: Fort: Cambria
	[2] Business, commercial, industrial, and other buildings: [\$100],\$150/1,000	0/1,000 Formatted: Font: Cambria
	square feet.	Formatted: Justified, Indent: Left: 1.33"
	(c) Final plan review fee:	Formatted: Font: Cambria
	[1] First region. [\$100]\$150	Formatted: Justified, Indent: Left: 1"
	[1] First review: [\$100]\$150.	Formatted: Font: Cambria
	[2] Second and each subsequent review: [\$200]\$250.	Formatted: Justified, Indent: Left: 1.33"
(7) Ma	ajor subdivision (SP/SL).	Formatted: Font: Cambria
(7) 1416		Formatted: Justified, Indent: Left: 0.5"
	(a) Preapplication meeting: [\$300] <u>\$500</u> .	Formatted: Font: Cambria
	(b) Sketch plan/concept plan (including TDR concept plan): \$1,000 plus [\$35]\$50	Formatted: Justified, Indent: Left: 1"
	per lot.	Formatted: Font: Cambria
	(c) Subdivision preliminary plan: \$2,500 plus [\$35]\$50 per lot.	Farmand Fact Cambria
	(c) Subdivision premimary plan. \$2,500 plus [\$55]	Formatted: Font: Cambria
	(d) Final plan review fee:	
	[1] First review: [ <del>\$100</del> ] <u>\$150</u> .	Formatted: Font: Cambria
	[2] Coord and each subsequent various [\$200]\$270	Formatted: Justified, Indent: Left: 1.33"
	[2] Second and each subsequent review: [\$200]\$250.	Formatted: Font: Cambria
	(e) Sketch plan and TDR process - at preliminary plan stage: [ <del>\$2,500</del> ] <u>\$2,80</u>	00. Formatted: Font: Cambria
(8)	Miscellaneous fees.	Formatted: Justified, Indent: Left: 1"
		Formatted: Justified, Indent: Left: 0.67"
	<ul><li>(a) Waiver, variance or modification of Chapter 187 (Subdivision an Development).</li></ul>	d Land Formatted: Justified, Indent: Left: 1"
	[1] Administrative waiver: [\$\frac{\$100}{100}\].	Formatted: Font: Cambria
	[2] DDC region request [\$200]\$250 (individual reservet or add-d	Formatted: Justified, Indent: Left: 1.33"
	[2] RPC waiver request: [\$200]\$250 (individual request or added process fee).	Formatted: Font: Cambria
	(b) Application for amendment to the Zoning ordinance: \$600.	Formatted: Justified, Indent: Left: 1"

(c) Application for historic preservation review: \$200. (d) Application for community development loan: \$300.] (eb) Certificate of use: [\$20]\$50. Formatted: Font: Cambria Formatted: Font: Cambria (fc) Zoning verification form: [\$20]\$50. Formatted: Font: Cambria (g) Copy of Subdivision and Land Development Ordinance (Chapter 187): \$40. Formatted: Font: Cambria (h) Copy of Zoning Ordinance (Chapter 205): \$40. (i) Copy of current Comprehensive Plan: \$40. (i) Full set of zoning maps (65 +/ maps): \$400. (kd) RPC or Levy Court revision review public hearing: \$500 (\$1,000 if Levy Court Formatted: Font: Cambria hearing is also required). (le) RPC or Levy Court Revision review business meeting: [\$250]\$275. Formatted: Font: Cambria Formatted: Font: Cambria (f) Administrative site plan: \$300 Formatted: Font: Cambria (mg) Administrative revision review: [\$200]\$250. Formatted: Font: Cambria Formatted: Font: Cambria (h) Fee in lieu of open space: \$300 Formatted: Font: Cambria (ni) Readvertising/posting fee - postponement at applicant's request: [\$100]\$150. Formatted: Font: Cambria Formatted: Font: Cambria B. Geographic Information Services. Geographic Information Services fees shall be as-Formatted: Justified, Indent: Left: 0.33" follows: [1] Aerial photographs, maps, composites: refer to § 128-38. Formatted: Justified, Indent: Left: 0.67" (2) Copying of maps (667 +/ ) onto compact disc (CD) format: \$400. (3) Copying of individual map onto compact disc (CD) format: \$20 per map. (4) Copying of Kent County created GIS shape (.shp) files onto compact disc (CD) format: \$10/shp. file.

(5) Copying of Kent County 911 Addressing Database (3.5 diskette): \$25.

binder: \$75.

board: \$20.

(6) Copying of Kent County 911 Addressing Map Book (8.5 inches by 11 inches) without

(7) Copying of Kent County 911 Addressing Map, large scale plot mounted on foam

(8) Copying of Kent County 911 Address Map, large-scale D or E size plot: \$75.

- (9) Copying of Kent County 911 Address Map, large-scale plot mounted on foam board: \$85.
- (10) Copying of Kent County 911 Addressing AutoCad map files onto compact disc (CD) format: \$500.
- (11) Printing of property information from AS400: \$0.25/page.
- The fee for the first copy of any Kent County 911 Addressing Map produced for emergency service agencies (police, fire, etc.) will be waived. All fees will also be waived for the first copy of any maps requested by any governmental agency.
- (132) Any computer files or maps used by Kent County that were produced by another individual, company, or agency not employed or hired by Kent County will not be sold or given to any requestor. Such requested files must be retrieved from the original author of those files. Kent County will only sell those maps of GIS files produced by individuals, companies, or agencies employed with Kent County government.

(143) Color copies.

	Size	Fee		
<b></b>	(inches)	(each copy)	*	
<b>A</b>	8.5 x 11	\$0.50	<b>*</b>	
<b>A</b>	8.5 x 14	\$1		
<b>_</b>	8.35 x 17	\$2		
	24 x 36 or larger	<u>\$15</u>		

[(15) Fax copies: \$3 each.]

- C. Division of Inspections and Enforcement. Division of Inspections and Enforcement feesshall be as follows: [Amended 9-12-2006 by Ord. No. 06-26; 5-22-2007 by Ord. No. 07-18]
  - [(1) International Residential Code: cost as noted by International Code Council and applicable shipping and handling.
  - (2) International Building Code: cost as noted by International Code Council and applicable shipping and handling.]
  - (31) Before receiving a permit, the owner or his agent shall pay the following fee(s):
    - (a) Application fee (shall not be counted toward the calculation of the education or

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<u>public safety surcharges and is nonrefundable once the application is accepted:</u> Formatted: Font: Cambria \$40 (ab) For a valuation \$0 to \$1,000: \$50. (bc) For a valuation not exceeding \$1,000,000 for each \$1,000 valuation or fraction thereof: \$10. (ed) Over \$1,000,000 for each additional \$1,000 or fraction thereof: \$3. (de) The minimum fee for any permit with the exception of farm buildings shall be (ef) Farm buildings (applies to buildings used exclusively for farming or agriculture): \$30. (fg) Demolition: \$100. (gh) Signs (signs, billboards, and other display structures not exempted from the provisions of the regulations of the Kent County Zoning Ordinance): contract price or Marshall & Swift evaluation service (minimum fee of \$50). (hi) Certificate of occupancy (except as otherwise set forth below), per dwelling unit: [\$50]\$60. Formatted: Font: Cambria (ii) Certificate of occupancy for a motel/hotel: [\$10]\$15 per dwelling unit or a Formatted: Font: Cambria minimum of \$100. (ik) Temporary certificate of occupancy: [\$75]\$100/renewable in 30 day Formatted: Font: Cambria increments. (kl) Addressing and numbering fee (for any new construction or placement of dwelling units; does not apply to replacements of previously addressed units): [<del>\$25</del>]<u>\$30</u>. Formatted: Font: Cambria (ml) Reinspection (for any reasons, such as no show for appointment, footings not ready, no final electric, plumbing or Fire Marshal approval): [1] First reinspection: \$75. Formatted: Justified, Indent: Left: 1.33' [2] Second reinspection: [\$100]\$150. Formatted: Font: Cambria [3] Third reinspection-[and up: \$200]\$250. Formatted: Font: Cambria [4] Fourth and any additional reinspection: \$300 (mn) Manufactured home parks: for manufactured homes 14 feet wide or less; for Formatted: Justified, Indent: Left: 1" manufactured homes 16 feet wide and double-wides: minimum permit fee of [\$300]\$350 (valuation based on current NADA Manufactured Housing Formatted: Font: Cambria Appraisal Guide).

 $(n_0)$  Fences: [\$10]\$15 per \$1,000 of valuation or fraction thereof; minimum of \$50. Formatted: Font: Cambria (ep) Moving buildings: square footage of structure at County-approved rate. (pg) Plan review fee for commercial buildings: \$0.003 for each dollar of value, with a minimum of \$20. (qr) Fees for inspections requested by owners on existing structures approved for occupancy by this department for more than one year: [\$50]\$75. Formatted: Font: Cambria (r) Tax Map/Zoning verifications: \$30. (s) Renewal Permit: \$50 (t) Roof-mounted solar panels: \$100 (42) Filing fee for hearing with the Kent County Community Board of Appeals: [\$50]\$100. Formatted: Font: Cambria Formatted: Font: Cambria (53) "After-the-fact" permitting for structures constructed prior to the issuance of a Kent Formatted: Justified Indent: Left: 0.67" County building permit: \$250 or double the base building permit fee, whichever is Formatted: Font: Cambria greater. Formatted: Font: Cambria (64) The building permit fee, including the education and fire surcharges, for handicap Formatted: Font: Cambria ramps being retrofitted to existing structures shall be waived. [Added 1-27-2015 Formatted: Font: Cambria by Ord. No. 15-01] (75) The permit fee, including the education and fire surcharges, for in-kind Formatted: Font: Cambria reconstruction of buildings demolished due to accident or natural disaster shall be waived when the applicant can demonstrate that applicable insurance will not or is not available to pay the fees. Only fees for equivalent square footage shall be waived; any additional square footage shall be subject to typical permit fees and surcharges. In the case of manufactured home replacement, when it can be demonstrated that a new home replacement equivalent in size to the original is not available, the next available larger size home shall be permitted, provided it is compliant with all zoning requirements, without incurring permit fees or surcharges for the additional square footage. [Added 1-27-2015 by Ord. No. 15-01; amended 5-24-2016 by Ord. No. 16-07] Section 2. This Ordinance is adopted pursuant to the powers conferred upon the Levy Court of Formatted: Font: Cambria Kent County, Delaware, in the Delaware Code, Title 9, Section 4110. **Section 3.** This ordinance shall become effective fifteen (15) days following adoption. Formatted: Font: Cambria Section 4. If any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared Formatted: Font: Cambria invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect; and to this end, the provisions of this Ordinance are hereby declared to be severable. Formatted: Font: Cambria, 12 pt Formatted: Justified

Ordinance 24-10 Page **8** of **8** 

## ADOPTED BY THE LEVY COURT OF KENT COUNTY, DELAWARE

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PRESIDENT, KENT COUNTY LEVY COURT THIS 23<sup>rd</sup> DAY OF , 2024

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ATTEST:

CLERK OF THE PEACE

## **SYNOPSIS**

This Ordinance amends § 128, Article XI. Fees Enumerated, §128-42, Department of Planning Service to establish various fees charged by the Levy Court.

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