

**CITY OF FARMINGTON**

**BILL NO. 79122012**

**ORDINANCE 11-21 92**

**AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF FARMINGTON, MISSOURI, BY AMENDING TITLE IV. LAND USE, CHAPTER 405: ZONING REGULATION, ARTICLE X. AUTHORITY, INTERPRETATION, VALIDITY, VIOLATIONS AND PENALTIES, SECTION 405.500: FEES AND AMENDING TITLE IV. LAND USE, CHAPTER 420: STORMWATER MANAGEMENT REGULATION, SECTION 420.080: PROJECT CLASSIFICATION AND FEES, A ZONING REGULATION KNOWN AS "FEES" AND ENACTING CERTAIN REGULATIONS PERTAINING THERETO.**

WHEREAS, there has been presented on this date an amendment to the Municipal Code of the City of Farmington related to project classifications and fees; and

WHEREAS, the proposed amendment has been affirmatively recommended by the Planning and Zoning Commission of the City of Farmington; and

WHEREAS, a public hearing regarding the proposed amendment was held on December 13, 2012 wherein all citizens or parties in interest were given the opportunity to address the City Council regarding said amendment; and

WHEREAS, the City Council desires to amend the ordinance prescribing the fees for the development permit applications; now therefore;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMINGTON, MISSOURI AS FOLLOWS.**

**SECTION 1:** That Title IV: Land Use, Chapter 405: Zoning Regulation, Article X. Authority, Interpretation, Validity, Violations and Penalties, Section 405.500: Fees is hereby amended by adding the following Section:

Section 405.500: Fees

A. Notwithstanding the requirements of Section 405.320, Section 405.340, and Section 410.100 all applications shall be accompanied by a fee as designated by Table O at the end of this Title. The Zoning Administrator shall be permitted to establish a refund policy. No fee shall be refunded for failure to act in favor of the applicant.

**SECTION 2:** That Title IV: Land Use, Chapter 420: Stormwater Management Regulations, SECTION 420.080: Project Classification and Fees, Subsection 1 is hereby amended by deleting the following Subsection:

1. All applications shall be accompanied by a fee of two hundred dollars (\$200.00) plus ten dollars (\$10.00) per acre or fraction thereof for every acre over two (2) acres. The Zoning Administrator shall be permitted to establish a refund policy. No fee shall be refunded for failure to act in favor of the applicant.

**SECTION 3:** That Title IV: Land Use, Chapter 420: Stormwater Management Regulations, SECTION 420.080: Project Classification and Fees, Subsection 1 is hereby amended by inserting the following Subsection 1:

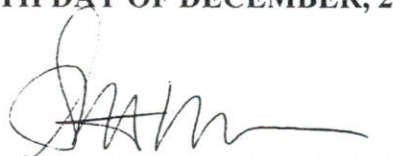
1. All applications shall be accompanied by a fee as designated by Table O at the end of this Title. The Zoning Administrator shall be permitted to establish a refund policy. No fee shall be refunded for failure to act in favor of the applicant.

**SECTION 4:** That Table O of the Zoning Ordinance is hereby amended by adding Table O at the end of this Title with the Table O entry listed within Exhibit A.

**SECTION 5:** That the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section shall be declared unconstitutional or otherwise invalid by valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

**SECTION 6:** This ordinance shall be in full force and effective from the date of passage and approval.

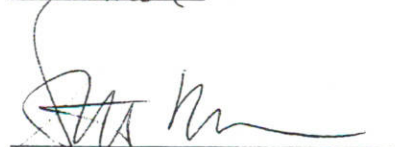
**DULY READ AND PASSED THIS 17TH DAY OF DECEMBER, 2012.**

  
Stuart "Mit" Landrum, Mayor

ATTEST:

  
Paula Cartee, City Clerk

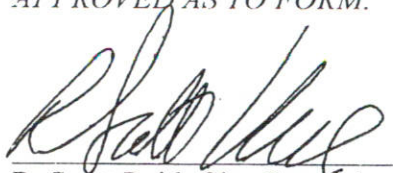
Approved this 17<sup>th</sup> Day of December, 2012.

  
Stuart "Mit" Landrum, Mayor

ATTEST:

  
Paula Cartee, City Clerk

APPROVED AS TO FORM:

  
R. Scott Reid, City Counselor



# Exhibit A

Title IV, Table O: Zoning and Development Permit Fee

Zoning and Development Permit Fee			
Development Permits			
Project Classification	Minimum Fee	Calculation	Maximum Fee
Portable Buildings 120 Sq. Ft. or Less	(No Charge)	N/A	N/A
Portable Buildings Greater than 120 Sq. Ft.	\$30.00	\$0.03 per Sq. Ft.	N/A
Portable Carports	\$30.00	\$0.03 per Sq. Ft.	N/A
Residential Accessory Outbuildings	\$30.00	\$0.03 per Sq. Ft.	N/A
Commercial Accessory Outbuildings	\$60.00	\$0.06 per Sq. Ft.	N/A
Industrial Accessory Outbuildings	\$60.00	\$0.06 per Sq. Ft.	N/A
Residential Construction or improvements	\$100.00	\$0.03 per Sq. Ft.	N/A

Commercial Construction or improvements	\$200.00	\$0.06 per Sq. Ft.	\$1,500.00
Industrial Construction or improvements	\$200.00	\$0.06 per Sq. Ft.	\$1,500.00
Residential Driveways or other Hard Surfaced Areas	\$30.00	\$0.03 per Sq. Ft.	N/A
Commercial Parking Lots or other Hard Surfaced Areas	\$200.00	\$0.06 per Sq. Ft.	\$500.00
Industrial Parking Lots or other Hard Surfaced Areas	\$200.00	\$0.06 per Sq. Ft.	\$500.00
Subdivision Improvements	Two hundred dollars (\$200.00) plus ten dollars (\$10.00) per acre or fraction thereof for every acre over two (2) acres.		

Notes:

1. One and Two-Family Dwellings on a Single Lot of Record shall be deemed a Residential classification.
2. All other classifications not listed within Note 1 above shall be deemed a Commercial, Industrial, or Institutional Classification.
3. The total aggregate square footage for all new construction or additions, including all new impervious areas shall be included within the project classification calculation listed within this Table. Said calculation is intended to utilize the area footprint for each new building, addition, structure, or impervious area regardless of the number of stories above or below grade.
4. Accessory Outbuildings shall meet the definition of an Accessory Building or Structure to qualify for said classification designation defined within this Table.
5. Subdivision Improvements shall be deemed those improvements required by this Title for the development of a new or amended Lot or Subdivision.