

ORDINANCE NO. O-07-121

AN ORDINANCE AMENDING FEES COLLECTED BY THE PLANNING DEPARTMENT:

WHEREAS; costs to the City for rezoning requests, conditional use permit requests and requests to the Board of Zoning Adjustment for variances as delineated in the Conway Zoning Ordinance rise over time, and;

WHEREAS; it is appropriate to increase the fees to cover a part of the cost to the City of Conway of administering these requests;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

ZONING ORDINANCE FEES:

Section 1: That the first sentence of SECTION 801.4 - PROCEDURE FOR APPEALS, D. Fee of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows:

The fee for any appeal or application to the Board shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

Section 2: That the first sentence of SECTION 901.2 - PROCEDURE FOR AUTHORIZING CONDITIONAL USES, L. Fee of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows:

The fee for any application for a conditional use permit shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

Section 3: That the second sentence of SECTION 901.4 - AMENDMENTS, C. Procedure, (1) of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows:

Any petitioner must pay a filing fee of three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

Section 4: That the second and third sentences of SECTION 1001.3 - MOVING OF BUILDINGS - Fee of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows:

The application fee shall be three hundred twenty-five dollars (\$325.00) for any building located within the City of Conway. For any building located outside the City of Conway, the application fee shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

Section 5: That the first sentence of ARTICLE 1101 SITE PLAN REVIEW SECTION 1001.10 - FEES of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows:

- A. For site plans with 5000 square feet or less of building gross floor area and 5000 square feet or less of lot coverage area, a fee of three hundred twenty-five dollars (\$325.00) must be paid by the applicant at the time of the submission of the site plan.
- B. For site plans with over 5000 square feet of building gross floor area and 5000 square feet of lot coverage area, a fee of four cents (\$0.04) per square foot of gross floor area and two cents (\$0.02) per square foot of lot coverage area must be paid by the

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applicant. The maximum fee shall be three thousand two hundred and fifty dollars (\$3250.00)

C. An appeal for a site plan review that is denied shall be three hundred twenty-five dollars (\$325.00)

Section 6: That the last sentence of ARTICLE 401 ZONING DISTRICT REGULATIONS SECTION 401.9 C. PROCEDURES FOR OBTAINING PUD ZONING C. ZONING APPLICATION and PRELIMINARY PLAT of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows "The Application shall be processed following the procedure for a change of zone district boundary as contained in Article 901, with the exception of fees.

A. FEES

1. NON-RESIDENTIAL - A filing fee of one thousand one hundred and twenty five dollars (\$1125.00) must be paid by the applicant at the time of submission for a nonresidential PUD zoning amendment, no part of which shall be refundable.
2. RESIDENTIAL - A filing fee of five hundred and twenty five dollars (\$525.00) must be paid by the applicant at the time of submission for a residential PUD of 10 or less units, a fee of seven hundred and twenty five dollars (\$725.00) for 25 or less residential units, and a fee of one thousand one hundred and twenty five dollars (\$1125.00) for 26 or more units.

ANNEXATION FEE

Section 7: The fee for any request for annexation to the City of Conway shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable."

EASEMENT, STREET, AND ALLEY CLOSING FEE

Section 8: The fee for any request for the closing of an easement shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable. The fee for any request for the closing of a street or alley shall be two-thousand dollars (\$2000.00), no part of which shall be refundable.

OVERLAY DISTRICT VARIANCE FEE

Section 9: I: That SECTION 1, G. of Ordinance 0-00-167 as adopted on December 28, 2000 is hereby amended to add paragraph 4, which shall read as follows:

4. The fee for any application for a variance shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

PARKING LOT VARIANCE FEE

Section 10: That the paragraph with the heading REQUIREMENTS ALONG PUBLIC RIGHT-OF WAY of Ordinance 0-91-54 as adopted on December 10, 1991 is hereby amended to add the following sentence that shall read as follows:

The fee for any application for an exception or variance shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

SUBDIVISION, REPLAT, AND LOT MERGER FEE

Section 11: That ARTICLE VI ADMINISTRATION AND ENFORCEMENT, SECTION 3 - FEES of the City of Conway Subdivision Ordinance as adopted by Ordinance O-00-03 on January 25, 2000 is hereby amended to read as follows:

For each preliminary plat submitted at the time of filing, the subdivider shall pay to the Designated Agent the following filing fee:

Residential:

\$200 + Engineering Fee =<10 lots

\$400 + Engineering Fee =<25 lots

\$800 + Engineering Fee =>26 lots

Nonresidential and Mixed Use: \$800 + Engineering Fee

Engineering Fee:

\$100 =< 2 lot subdivision/replat no new street drainage

\$250 => 3 lot subdivision/replat no new street drainage

\$500 + \$25 per lot subdivision / replat with new street drainage

For each Final Plat submitted, the fee shall be as follows:

Residential:

\$200 =<10 lots

\$400 =<25 lots

\$800 =>26 lots

Nonresidential and Mixed Use: \$800

Any subsequent variances, waivers, extensions, etc. after preliminary or final plat approval that require the plat to be placed on the Planning Commission agenda shall pay a fee of one hundred dollars(\$100).

All recording fees shall be paid by the subdivider.

That ARTICLE IX LOT MERGERS, SECTION 3 – PROCEDURES, (2) of the City of Conway Subdivision Ordinance as adopted by Ordinance O-00-03 on January 25, 2000 is hereby amended to read as follows:

(2) The application shall not be accepted until the applicant has paid a fee of \$200.00. All recording fees shall be paid by the subdivider.

Section 12: That all above fee increases will become effective on January 1st, 2007.

Section 13: That all ordinances in conflict herewith are hereby repealed to the extent of that conflict.

PASSED this 25th day of September, 2007.

ATTEST:


Michael O. Garrett
City Clerk/Treasurer

APPROVED:


Mayor Tab Townsell