

CITY OF FARMINGTON

BILL NO. 38052012

ORDINANCE NO. 11-21 85

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF FARMINGTON, MISSOURI, BY AMENDING TITLE IV: LAND USE, CHAPTER 405: ZONING REGULATIONS, ARTICLE VI: SUPPLEMENTARY REGULATIONS, SECTION 405.230: ACCESSORY BUILDING AND STRUCTURES, SUBSECTION G(2): SIGNS, A LAND USE KNOWN AS "ACCESSORY BUILDING AND STRUCTURES, SIGNS" 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 regarding accessory building and structures pertaining to signs and related to definitions, requirements, and purpose; 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 May 29, 2012 wherein all citizens or parties in interest were given the opportunity to address the City Council regarding said amendment; now therefore,

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

SECTION 1: That the Definitions of said Zoning Ordinance in Section 405.040 in the Municipal Code of the City of Farmington are hereby amended by inserting the following definition:

SIGN, COMMON COMMERCIAL SUBDIVISION OR DEVELOPMENT: A freestanding sign erected to display multiple business uses which are located within a common commercial subdivision or development that shares an approved common and contiguous plat, boundary adjustment, or recorded subdivision organization.

SECTION 2: That Section 405.230, Subsection G(2) of the Zoning Ordinance is hereby amended by inserting the following Subsection paragraph:

g. Freestanding common signs for advertising multiple business uses which are located within a common commercial subdivision or development shall be permitted under the following:

(1) Written permission is required from the property owner(s) of the property upon which the sign will be installed.

(2) A permanent sign easement shall be provided. Sign easements may not conflict with any recorded or unrecorded utility or utility easement.

(3) Shall be located a minimum of one hundred fifty (150) feet from existing freestanding signs and shall be located not more than of seventy five (75) feet from a main public roadway entrance or intersection into or adjacent to said common commercial subdivision or development. Common sign structures located on the same property shall be separated by at least one hundred fifty (150) feet and shall be separated by at least seventy five (75) feet from freestanding signs located on adjoining properties. For the purposes of this subsection, menu board signs not exceeding twenty (20) square feet in size and not more than ten (10) feet above finish grade, and directional signs not exceeding ten (10) square feet in size and not more than ten (10) feet above finish grade shall not count again this provision.

(4) Shall not exceed forty (40) feet in height unless otherwise specifically allowed by Table K, L or M for the subject property.

(5) Shall not exceed two hundred (200) square feet in sign area per sign face unless otherwise specifically allowed by Table K, L or M for the subject property.

(6) Off-premise common commercial subdivision or development signs must not result in non-compliance with the standards of this Chapter for the property upon which the sign is placed.

(7) A Special Use permit shall be required when more than two (2) off-premise common commercial subdivision or development signs pursuant to this subsection would be located within the same common commercial subdivision or development.

(8) Shall comply with the applicable construction standards of the adopted Building Codes.

h. Off-premise freestanding signs for a lot without adequate and direct public street access shall be permitted under the following:

(1) The sign is located on a contiguous property to which the sign message is applicable and that the contiguous property has adequate and direct public street frontage for said sign.

(2) Written permission is required from the property owner(s) of the property upon which the sign will be installed.

(3) A permanent sign easement shall be provided. Sign easements may not conflict with any recorded or unrecorded utility or utility easement.

(4) Freestanding signs located within the subject property shall be located on common sign structures complying with the provisions of this Section. One (1) common

structure shall be permitted for each public street frontage. Common sign structures located on the same property shall be separated by at least one hundred fifty (150) feet and shall be separated by at least seventy five (75) feet from freestanding signs located on adjoining properties. For the purposes of this subsection, menu board signs not exceeding twenty (20) square feet in size and not more than ten (10) feet above finish grade, and directional signs not exceeding ten (10) square feet in size and not more than ten (10) feet above finish grade shall not count again this provision.

(5) The height and area of said signs shall be in accordance with Tables K, L and M at the end of this Title.

(6) The sign must not result in non-compliance with the standards of this Chapter for the property upon which the sign is placed.

(7) A Special Use permit shall be required when more than two (2) off-premise freestanding signs for a lot without adequate and direct public street access would be located on the same property pursuant to this subsection.

(8) A Special Use permit shall be required for off-premise freestanding signs for a lot without adequate and direct public street access when more than one (1) contiguous property to which the sign message is applicable, which under these provisions and pursuant to this subsection would be utilized.

(9) Shall comply with the applicable construction standards of the adopted Building Codes.

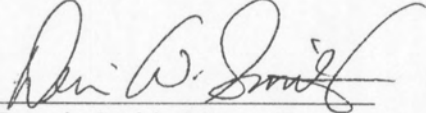
SECTION 3: Nonconforming Use

A nonconforming use of land existing lawfully at the time of the enactment of this section may be continued, but shall not be extended, expanded or enlarged. Those businesses that were in legal operation at the same location as of the effective date of this ordinance shall be considered as legal nonconforming uses.

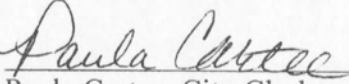
SECTION 4: That the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section shall be declared unconstitutional or otherwise invalid by valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

SECTION 5: This ordinance shall be in full force and effective from the date of passage and approval.

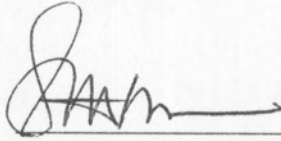
DULY READ AND PASSED THIS 14TH DAY OF JUNE, 2012.


Dennis Smith, Mayor Pro-Tem

ATTEST:

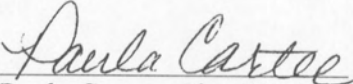

Paula Cartee, City Clerk

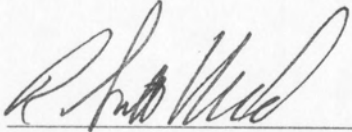
Approved this 21ST day of JUNE, 2012.


Stuart "Mit" Landrum, Mayor

ATTEST:

APPROVED AS TO FORM:


Paula Cartee, City Clerk


R. Scott Reid, City Counselor