

One-rdg. \_\_\_\_\_  
P. Hrngs. \_\_\_\_\_  
Pgs. 4  
Filed: 04-02-19

Sponsored by: Schilling

First reading: \_\_\_\_\_

Second reading: \_\_\_\_\_

COUNCIL BILL 2019-086

GENERAL ORDINANCE \_\_\_\_\_

AN ORDINANCE

1 ADOPTING a new Fee and amending the Fee Schedule for certain City services as  
2 provided in the Springfield City Code, by establishing a fee for a Medical  
3 Marijuana Zoning Certificate. (Staff recommends approval.)  
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5  
6 WHEREAS, City Code Sec. 2-425 authorizes the City to charge various fees in  
7 amounts contained on schedules adopted by Ordinance and on file with the City Clerk;  
8 and

9 WHEREAS, to comply with the requirements of the passage of Amendment 2,  
10 now Article XIV of the Missouri Constitution a new zoning certificate is required to  
11 establish compliance with separation requirements; and

12  
13 WHEREAS, an evaluation of charges for the processing and issuing of a Medical  
14 Marijuana Zoning Certificate, attached hereto as "Exhibit A," has been compiled by the  
15 City's Finance Department; and

16  
17 WHEREAS, a new fee for Medical Marijuana Zoning Certificates shall be  
18 effective upon the passage of this Ordinance; and

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20 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
21 SPRINGFIELD, MISSOURI, as follows, that:

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23 Section 1 – City Council hereby adopts and approves a new fee for Medical  
24 Marijuana Zoning Certificates in the amount of One Hundred Eight and 00/100 dollars  
25 (\$108.00) as contained within "Exhibit A," which is attached hereto and incorporated  
26 herein by reference, copies of which shall be maintained on file with the City Clerk  
27 pursuant to Sec. 2-425 of the City Code. .

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29 Section 2 – This Ordinance shall be in full force and effect from and after  
30 passage.

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32 Passed at meeting: \_\_\_\_\_  
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\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_, City Clerk

Filed as an Ordinance: \_\_\_\_\_

Approved as to form: *Paul Rykowski*, Assistant City Attorney

Approved for Council action: *Juan C. Mase*, City Manager

**EXPLANATION TO COUNCIL BILL 2019-\_\_\_\_**

FILED: 04-02-19

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Adopting a new Fee and amending the Fee Schedule for certain City services as provided in the Springfield City Code, by establishing a fee for a Medical Marijuana Zoning Certificate. (Staff recommends approval.)

BACKGROUND INFORMATION: The City currently charges \$44, for zoning certification – a “certificate” noting the zoning district of a specific property, the regulations and whether it’s subject to pending land development cases. According to the proposed State of Missouri rules for medical marijuana facilities, applicants will have to provide the State with evidence indicating that the proposed location is compliant with local zoning laws. Part of our proposed local regulations is a separation from elementary and secondary schools, child day care facilities and churches. We will have to physically visit each site and assess it as to compliance with the separation requirements. This will result in about one hour of additional staff time above the typical zoning certification (we don’t do field visits for zoning certification) as well as mileage expenses. This work will be completed by various staff but primarily will be completed by an associate (PAT 8) or senior (PAT 10) planner.

Based on the anticipated additional time spent on site assessment, staff recommends that a new fee be implemented for medical marijuana zoning certificates. A preliminary fee study based on the time currently spent on zoning certificates plus one hour of additional staff time indicates a total fee of \$92 (see “Exhibit A”). An additional 17% technology fee is assessed on the City cost for the license and maintenance of the electronic plan submission and review system, for a total fee of \$108 for medical marijuana zoning certificates.

REMARKS: Staff recommends approval of this new fee.

Submitted and Recommended by:

Approved by:

  
\_\_\_\_\_  
Mary Lilly Smith, Director

  
\_\_\_\_\_  
Jason Gage, City Manager

**Exhibit A**

**Permit, Plan Review, and Inspection Fees  
Planning and Development**

<b>Service Description</b>	<b>Current Status Based on FY 17-18 Data</b>				
	<b>Current Fee</b>	<b>City Cost</b>	<b>Cost Recovery</b>	<b>Units of Service</b>	<b>Revenue Generated</b>
Zoning Certificate-Medical Marijuana	0	92	0%	0	0
Technology Fee	0%	17%	0%	0	0
<b>Totals</b>					<b>\$0</b>

<b>Service Description</b>	<b>Proposed Fees for FY 19-20</b>				
	<b>Proposed Fee</b>	<b>% Change in Fee</b>	<b>New Cost Recovery</b>	<b>Projected Revenue</b>	<b>Change in Revenue</b>
Zoning Certificate-Medical Marijuana*	92	100.0%	100%	4,605	4,605
Technology Fee	17%	100.0%	100%	783	783
<b>Totals</b>				<b>\$5,388</b>	<b>\$5,388</b>

**Zoning Certificate-Medical Marijuana**

An applicant would apply to have staff provide official certification of the zoning district of a particular property on the date the zoning certificate is issued. Medical marijuana facilities require physical site visit to assess separation requirements. The zoning certificate also provides notice of any rezoning applications on file for the property in the Planning and Development Department office.

**Technology Fee**

The technology fee is assessed on the City cost for the license and maintenance of the electronic plan submission and review system.

\*Fee would be effective upon passage; anticipate 50 applications over the next few months.