

ORDINANCE NO. O-2014-07

2014 FEB 28 PM 12: 26

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED TENA O'BRIEN CO & PROBATE CLERK BENTON COUNTY AR

AN ORDINANCE ADOPTING A REVISED FEE SCHEDULE FOR PLANNING REVIEW, AND EXEMPTING AGRICULTURAL LAND USE FROM PLANNING REVIEW AND FEES

WHEREAS, Benton County has adopted under Ordinance No. O-2014-06 a fee schedule for planning project review and fees; and

WHEREAS, Benton County has determined it necessary to revise the fee schedule for planning project review and fees in the unincorporated areas of the county; and

WHEREAS, Benton County has determined it necessary to exempt agricultural land use from planning review and fees.

NOW THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS:

ARTICLE 1. That the fees for planning project review required by the current planning regulations shall be determined by Planning Staff and the Planning Board in accordance with the following schedule.

Application/Review Type	Fee
<b>Modification, Variance, or Waiver</b>	
Variance	\$75.00 per variance request
<b>Subdivision</b>	
Minor Subdivision and Family Split- Up to 5 Plats	\$200.00 plus \$50.00/lot upon approval up to a maximum of \$400.00
Major Subdivision – More than 5 Plats- Preliminary Plat	\$500.00
Major Subdivision – Final Plat	\$200.00 plus \$50.00/lot upon approval
Modifications to an Approved Subdivision- Minor Boundary Adjustment-Lot Split or Combination-up to five Plat only	\$100.00 plus \$50.00/lot upon approval up to a maximum of \$300.00
Modifications to an Approved Subdivision- Major Replat- More than five Plats	\$200.00 plus \$50.00/lot upon approval up to a maximum of \$400.00

8-849

ADOPTED

FEB 27 2014

FILED

Development Master Plan	\$1,500.00 filing fee together with a fee of \$25.00 per lot
Planned Unit Development	\$1,500.00 filing fee for the preliminary plat. An additional \$50.00 per lot shall be collected on presentation of the final plat
PUD/DMP Revisions	Filing fee for revisions shall be \$500.00
<b>Site Plan Review</b>	
Site Plan Review	\$100.00 – construction with a GFA of up to 250 sq.ft. or parking area with five spaces \$300.00 –all other development
Site Plan Review Minor Modification	\$100.00
Site Plan Review Major Modification	\$300.00
<b>Special Development Regulations</b>	
Mobile Home Park	\$200.00
Telecommunication Tower	\$200.00 review fee with an annual fee of \$100.00
Small Wind Energy Project	\$250.00
LUS Wind Energy Project	\$500.00
Temporary Use Permit	\$100.00
Home and Rural Family Occupations	\$100.00
<b>Stormwater Permit</b>	
Stormwater Permit (1 acre or less)	\$50.00
Stormwater Permit (Greater than 1 acre)	\$100.00
<b>Floodplain Permit</b>	
Floodplain Development Permit (1 acre or less)	\$50.00
Floodplain Development Permit (Greater than 1 acre)	\$100.00

2014 FEB 28 PM 12:26  
 TERA D'ONICH  
 CLERK  
 BENTON COUNTY AR

ARTICLE 3. Waiver of Fees. Planning review fees for public or quasi-public agencies may be waived upon application to the Benton County Planning and Development Department and approval by the Planning Board.

ARTICLE 4. Severability. If any court of competent jurisdiction finds that any section, clause, sentence, or phrase of this ordinance is invalid or unconstitutional, that finding in no way affects the validity of the remaining portions of this ordinance.

8-850

FILED

APPROVED:

2014 FEB 28 PM 12: 25

Robert D. Clinard  
ROBERT D. CLINARD, COUNTY JUDGE  
DATE SIGNED: 2-28-14

TENA O'BRIEN  
COUNTY CLERK  
BENTON COUNTY AR



ATTEST:

Tena O'Brien  
TENA O'BRIEN, COUNTY CLERK

SPONSOR: JP Tom Allen

ADOPTED: February 27, 2014

Votes for: 14 Against: \_\_\_\_\_

Abstain: \_\_\_\_\_ Present: \_\_\_\_\_ Absent: 1

# NORTHWEST ARKANSAS NEWSPAPERS LLC

212 NORTH EAST AVENUE, FAYETTEVILLE, ARKANSAS 72701 | P.O. BOX 1607, 72702 | 479-442-1700 | WWW.NWANNEWS.COM

NORTHWEST ARKANSAS DEMOCRAT-GAZETTE  
THE MORNING NEWS OF SPRINGDALE  
THE MORNING NEWS OF ROGERS  
NORTHWEST ARKANSAS TIMES  
BENTON COUNTY DAILY RECORD

FILED

2014 MAR 11 AM 11:06

TENA O'BRIEN  
CO. CLERK  
BENTON COUNTY, ARK

## AFFIDAVIT OF PUBLICATION

I, Karen Caler, do solemnly swear that I am the Legal Clerk of the Northwest Arkansas Newspapers, LLC, printed and published in Washington and Benton County, Arkansas, of bona fide circulation, that from my own personal knowledge and reference to the files of said publication, the advertisement of:

BENTON COUNTY CLERK  
ORD NO 0-2014-07

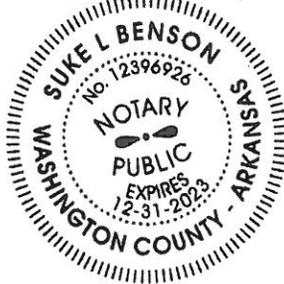
Was inserted in the Regular Editions on:  
MARCH 6, 2014

Publication Charges: \$428.40

Karen Caler  
Karen Caler

Subscribed and sworn to before me  
This 7<sup>th</sup> day of March, 2014.

Suke L Benson  
Notary Public  
My Commission Expires: 12/31/2023



\*\*NOTE\*\* Please do not pay from Affidavit. Invoice will follow.

P.O. 14-001968

**ORDINANCE NO. 0-2014-07**  
BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

**AN ORDINANCE ADOPTING A REVISED FEES SCHEDULE FOR PLANNING REVIEW, AND EXEMPTING AGRICULTURAL LAND USE FROM PLANNING REVIEW AND FEES**

WHEREAS, Benton County has adopted under Ordinance No. 0-2014-\_\_\_ a fee schedule for planning project review and fees; and  
WHEREAS, Benton County has determined it necessary to revise the fee schedule for planning project review and fees in the unincorporated areas of the county; and  
WHEREAS, Benton County has determined it necessary to exempt agricultural land use from planning review and fees;

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS:

**ARTICLE 1.** That the fees for planning project review required by the current planning regulations shall be determined by Planning Staff and the Planning Board in accordance with the following schedule:

Application/Review Type	Fee
Variance	\$75.00 per variance request
Minor Subdivision and Family Split - Up to 5 Plats	\$200.00 plus \$50.00/lot upon approval up to a maximum of \$400.00
Major Subdivision - More than 5 Plats - Preliminary Plat	\$500.00
Major Subdivision - Final Plat	\$200.00 plus \$50.00/lot upon approval
Modifications to an Approved Subdivision - Minor Boundary Adjustment - Lot Split or Combination - up to five Plat only	\$100.00 plus \$50.00/lot upon approval up to a maximum of \$300.00
Modifications to an Approved Subdivision - Major Repair - More than five Plats	\$200.00 plus \$50.00/lot upon approval up to a maximum of \$400.00
Development Master Plan	\$1,500.00 filing fee together with a fee of \$25.00 per lot
Planned Unit Development	\$1,500.00 filing fee for the preliminary plat; An additional \$50.00 per lot shall be collected on presentation of the final plat
PUD/DMP Revisions	Filing fee for revisions shall be \$500.00
Site Plan Review	\$100.00 - construction with a GFA of up to 250 sq ft or parking area with five spaces; \$300.00 - all other development
Site Plan Review - Minor Modification	\$100.00
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Floodplain Development Permit (Greater than 1 acre)	\$100.00

**ARTICLE 3. Waiver of fees:** Planning review fees for public or quasi-public agencies may be waived upon application to the Benton County Planning and Development Department and approval by the Planning Board.

**ARTICLE 4. Severability:** If any court of competent jurisdiction finds that any section, clause, sentence, or phrase of this ordinance is invalid or unconstitutional, that finding in no way affects the validity of the remaining portions of this ordinance.

**ATTEST:**  
/s/ Tena O'Brien  
TENA O'BRIEN, COUNTY CLERK  
SPONSOR: Tom Allen  
ADOPTED: February 27, 2014  
Votes for: 14 - Against:  
Abstain: Present: Absent: 1

**APPROVED:**  
/s/ Robert D. Clinard  
ROBERT D. CLINARD, COUNTY JUDGE  
DATE SIGNED: February 28, 2014

# NORTHWEST ARKANSAS NEWSPAPERS LLC

NORTHWEST ARKANSAS DEMOCRAT-GAZETTE  
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NORTHWEST ARKANSAS TIMES  
BENTON COUNTY DAILY RECORD

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FILED  
2015 JAN -5 AM 8:28  
TERA O'BRIEN  
CO. & PROBATE CLERK  
BENTON COUNTY, ARK

## AFFIDAVIT OF PUBLICATION

I, Cathy Wiles, do solemnly swear that I am the Legal Clerk of the Northwest Arkansas Newspapers, LLC, printed and published in Washington and Benton County, Arkansas, of bona fide circulation, that from my own personal knowledge and reference to the files of said publication, the advertisement of:

BENTON COUNTY CLERK  
benton county

Was inserted in the Regular Editions on:  
DECEMBER 24, 2014

Publication Charges: \$ 436.80

Cathy Wiles  
Cathy Wiles

Subscribed and sworn to before me  
This 31 day of Dec, 2014.

Sarah Jane Davenport  
Notary Public  
My Commission Expires: 10/24/24

SEE ATTACHED



\*\*NOTE\*\* Please do not pay from Affidavit. Invoice will follow.

PC-123114

I 14-017121