

**AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE
ZONING CODE OF THE CITY OF TWIN OAKS**

WHEREAS, pursuant to § 400.550 of the Twin Oaks City Code, the Board of Aldermen may from time to time, on its own motion or on petition of the Planning and Zoning Commission, amend, supplement, change, modify or repeal by ordinance the regulations or districts herein or subsequently established after receiving the Planning and Zoning Commission's recommendation and report; and

WHEREAS, the City desires to make text amendments to the code to clarify certain fee and insert language pertaining to accessory structures in the Twin Oaks Zoning Regulations, Chapter 400 of the Municipal Code (hereinafter the "Zoning Code"); and

WHEREAS, on January 27, 2021, the Planning and Zoning Commission recommended that the Board of Aldermen approve of the proposed amendment of the Zoning Code attached hereto and incorporated herein; and

WHEREAS, the Board of Aldermen, after careful and due deliberation and following a duly noticed public hearing held on February 3, 2021 in accordance with § 400.550 and § 89.060 RSMo., has concluded that the adoption of the proposed amended Zoning Code would be in the interests of health, safety, and welfare of the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, AS FOLLOWS:

Section 1. Section 400.490, Certificates of Occupancy, of Chapter 400 of the Twin Oaks Municipal Code, the Zoning Regulations, is hereby amended by repealing Section 400.490 in its entirety and adopting in its place a new Section 400.490 to read as follows:

Section 400.490. Certificates of Occupancy.

- A. No land shall be used and no building erected, converted, enlarged, reconstructed, or structurally altered after the effective date of this Chapter shall be occupied in whole or in part until a certificate of occupancy is issued by the Code Enforcement Official stating that the use or building complies with the requirements of this Chapter, the Building Codes adopted in Chapter 500, and the ordinances of the City. Issuance of the certificate of occupancy may include prior review by the officials designated by the City Clerk or contracted by the City to administer the City Building Code.
- B. Certificates of occupancy for newly built or altered premises shall be applied for coincidentally with the application for a building permit and shall be issued within ten (10) days after the lawful erection, reconstruction or alteration is completed. A record of all building permits and certificates of occupancy shall be kept on file in the City office and copies shall be furnished on request to any person having a proprietary or tenancy interest in the land, building or premises affected.

- C. Whenever the sale of a building results in a change in the ownership or occupancy, or whenever the premises are rented to any first or successor lessee, or whenever there is a change in use of the premises and more than one hundred eighty (180) days has elapsed since the date of the last occupancy inspection of the premises, the buyer or lessee shall be required to possess an occupancy permit in accordance with the provisions of this Section.
- D. The occupancy permit shall not be issued by the Code Enforcement Official until the building or premises has been inspected and the inspector has affixed to the application for such permit an approval that the proposed use and any buildings or structures involved comply in all respects with the provisions of the approved building permit or the Building Codes. If the Code Enforcement Official finds that the use is in compliance with all applicable provisions of this Section, the Building Codes, and all other applicable City ordinances, he or she may issue said occupancy permit.
- E. The Code Enforcement Official may issue a temporary, thirty-day occupancy permit for a part of a commercial building or for temporary occupancy of a residential premises pending completion of construction or repairs provided the proposed use complies with all applicable requirements of the City ordinances
- F. The inspection fee established in Section 400.500 of this Chapter shall include one (1) reinspection, if required as a result of deficiencies noted in the original inspection. Additional and subsequent inspections required by the Code Enforcement Official in order to verify compliance shall be made only after deposit of a new fee.
- G. No provision contained in this Section shall be interpreted as restricting the right of a seller or lessor to make application and pay the fee for an inspection and occupancy permit.

Section 2. Section 400.500.A, Fees and Deposits, of Chapter 400 of the Twin Oaks Municipal Code, the Zoning Regulations, is hereby amended by repealing only Subsection A of Section 400.500 and adopting in its place a new Subsection A to read as follows:

Section 400.500. Fees and Deposits.

- A. The fees and deposits for applications, filings, City review, and exceptions and appeals therefrom pertaining to the City's regulation of land use are established as follows:
 1. Zoning Code. Fees for the various permits and applications required by Chapter 400, the City's Zoning Code, and payable at the time of application, shall be as follows:

Application/Permit		Amount of Fee/ Deposit	Zoning Code Reference
1.	Rezoning	\$250.00 plus \$50.00 per acre or part thereof	§ 400.550
2.	Text amendments	\$250.00	§ 400.550
3.	Site plan approval	\$100.00 plus \$20.00 per acre or part thereof	§§ 400.170, 400.230, 400.370
4.	Conditional use permit	\$250.00	§§ 400.420-400.430
5.	Board of Adjustment	• Single Family Residential	§ 400.580

	(appeals/ variances)	<ul style="list-style-type: none"> ○ \$50.00 for all acreage • Commercial and Multi-Family Residential <ul style="list-style-type: none"> ○ \$100.00 for less than 1/4 acre ○ \$150.00 for 1/4 acre and up to but less than 1/2 acre ○ \$200.00 for 1/2 acre and up to but less than 1 acre ○ \$300.00 for 1 acre or more • Signs <ul style="list-style-type: none"> ○ \$100.00 for signs 	§ 410.150
6.	Building permit	<ul style="list-style-type: none"> • \$80.00 (residential) • \$150.00 (commercial — new construction/ addition) • \$85.00 (commercial-- alteration/tenant finish) • \$150.00 (demolition for residential/ commercial) 	§ 500.120
7.	Occupancy permit	Applicant shall pay City amount equal to the inspection fee incurred by City from St. Louis County; current rates to be kept on file with City Clerk	§ 400.490
8.	Administrative permit (telecommunications)	\$500.00	§ 400.440(G)(2)
9.	Development plan or planned residential district approval	\$1,500.00	§§ 400.340, 400.440
10.	Home occupation	\$25.00	§§ 400.130, 400.190
11.	Special business permit procedure	\$250.00	§ 400.180

Section 3. Section 400.130, "A" Single-Family Dwelling District Regulations, of Chapter 400 of the Twin Oaks Municipal Code, the Zoning Regulations, is hereby amended by amending the first paragraph of Subsection A.7 to add the underlined words and remove the struck-through words as follows:

7. Accessory buildings, structures, or ~~accessory~~ uses as specified below, provided that no accessory building, structure or ~~accessory~~ use shall be located in the front yard or within the applicable side and rear setbacks set forth in Section 400.150(A):

Section 4. The recitals contained in the *Whereas* clauses are expressly incorporated in and made a part of this Ordinance.

Section 5. This Ordinance shall be in full force and effect on and after its passage and approval by the Mayor.

PASSED AFTER HAVING BEEN READ IN FULL OR BY TITLE TWO TIMES PRIOR TO
PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI,
THIS 3rd DAY OF FEBRUARY 2021.



Russ Fortune, Mayor

Attest:



Frank Johnson, City Clerk