

CAMDEN COUNTY MISSOURI

UNIFIED LAND-USE CODE

EFFECTIVE DATE: JUNE 1, 2004

MODIFIED: AUGUST 2006

MODIFIED: JANUARY 1, 2022

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CAMDEN COUNTY UNIFIED LAND-USE CODE

ARTICLE 100: GENERAL PROVISIONS

SECTION 101 - TITLE / AUTHORITY / JURISDICTION

This Code, in pursuance of the authority granted by the State of Missouri in ¶64.005 of the Missouri Revised Statutes (RSMo) of 1994, approved by the voters of Camden County in 1997, and adopted by the Camden County Commission, shall be known as the "Unified Land-Use Code of 2004" and shall be referred to herein as the "Code." The Code shall be the regulatory document for implementation of the Master Plan of the County of Camden, Missouri. This Code shall apply to all lands within the Camden County Zoning District as have been so designated by the County Commission.

SECTION 102 - PURPOSE AND NECESSITY

The purpose of this Code is to promote and protect public health, safety, morals, and/or general welfare, through the regulation of the use of land and the location, use, size, height, and shape of buildings and structures erected thereon, having due regard to:

- Encouraging the most appropriate use of land;
- Preventing the overcrowding of land;
- Conserving the value of land and structures;
- Lessening the congestion of traffic on the roads;
- Avoiding the congestion of population;
- Providing for adequate light and air;
- Securing safety from fire, flood, and other dangers;
- Facilitating adequate provision of infrastructure and public facilities;
- Giving reasonable consideration to the existing character and peculiar suitability for certain uses in particular districts; and
- Giving effect to the policies and proposals of the Master Plan as approved by the Planning Commission.

SECTION 103 - EFFECTIVE DATE

The effective date of the Camden County Unified Land-Use Code is June 1, 2004.

SECTION 104 – INTERPRETATION

1. Except as provided for in these regulations, no land shall be used and no building, structure, or improvement shall be made, erected, constructed, moved, altered, enlarged, or rebuilt which is designed, arranged, or intended to be used or maintained for any purpose or in any manner except in accordance with the requirements established in the zoning district in which such land, building, structure, or improvement is located and in accordance with the provisions of the articles contained herein relating to any or all districts.
2. Where any proposed use of land is not specifically listed in any zoning district, but appears to be similar in character and purpose to one that is shown as permitted or conditionally permitted in a zone, the Planning Administrator may accept an application for the use, which will be acted upon by the Planning Commission.

SECTION 105 - CONFLICTING REGULATIONS AND SEVERABILITY

1. These regulations are not intended to abrogate any easement, covenant, or any other private agreement or restriction, provided that where the provisions of the Code are more restrictive or impose higher standards or regulations than such easement, covenant, or private agreement or restriction, the requirements of these regulations shall be held to be the minimum standard that govern.
2. Where the provisions of the easement, covenant, or any other private agreement or restriction, impose duties and obligations that are more restrictive or have higher standards than the requirements of the Code, it will not be the responsibility of the County or its employees to enforce them. Such provisions can only be enforced by civil action means by the public.
3. If any section, clause, provision or portion of this Code shall be held to be invalid or unconstitutional by any state or federal Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Code.
4. If any state or Federal law or future county law imposes additional or duplicative standards for developments regulated by these regulations the more restrictive standard shall be met.

SECTION 106 - RELATIONSHIP TO EXISTING REGULATIONS

To the extent that the provisions of this regulation are the same in substance as any previously adopted provisions that they replace in the County's zoning, subdivision, flood control, historic preservation, or other regulations, they shall be considered as continuations thereof and not as new enactments unless otherwise specifically provided. The most current version or portion thereof of these regulations that has been adopted shall be considered the active or enforced requirement.

SECTION 107 – FEES

1. Reasonable fees sufficient to cover the costs of administration, inspection, publication of notices, and similar matters may be charged to an applicant for Zoning Permits, building permits, conditional-use permits, special-use permits, subdivision plat approval, zoning amendments, variances, appeals, and other administrative actions and relief. The amount of such fees charged shall be established by resolution of the County Commission and filed in the office of the County Clerk. Administrative fees to handle the cost of processing financial securities for public improvements or other required work may be assessed as deemed appropriate not to exceed two (2) percent of the total amount secured.
2. Fees established in accordance with these regulations shall be paid upon submission of a signed application, notice of appeal, or acceptance or a security.

ARTICLE 200: DEFINITIONS AND INTERPRETATIONS

SECTION 201 – GENERAL

1. Certain words, terms, and acronyms that are used in this Code have been defined in this Article. Unless otherwise specifically provided or unless clearly required by the context, the following words, terms, and phrases shall have the meaning herein indicated in this Article.
2. Where words have not been defined, the standard dictionary definition may be used to assist in the interpretation of the Code.
3. In construing the meaning of this Code, the following rules shall apply:
 - a. Words used in the present tense shall also include the future sense;
 - b. Words used in the singular number shall also include the plural and vice versa;
 - c. The word "shall" is mandatory;
 - d. The word "may" is permissive;
 - e. The words "used" or "occupied" shall be construed to include "intended, designed, or arranged to be used or occupied;"
 - f. Where reference is made to the Code, it shall be construed to mean the Camden County Unified Land-Use Code as originally passed and all subsequent amendments, supplements, and revisions; and
 - g. This Code shall at all times be construed in accordance with all the laws of the State of Missouri. To the extent this Code conflicts with the laws of the State of Missouri, the laws of the State of Missouri shall govern.

SECTION 202 – ACRONYMS

A	Agricultural
ADA	Americans with Disabilities Act
ASTM	American Society for Testing Materials
AWWA	American Water Works Association
BOA	Board Of Adjustment
C	Commercial
CAFO	Concentrated Animal Feeding Operations

CCPZ	Camden County Planning and Zoning
CCWD	Camden County Wastewater Department
CSR	Code of State Regulations
DNR	Department of Natural Resources
EPA	Environmental Protection Agency
FAA	Federal Aviation Administration
gpd	gallons per day
GSRAD	Geological Survey Resource Assessment Division
I	Industrial
MHP	Manufactured Home Park
NFPA	National Fire Protection Association
NPDES	National Pollutant Discharge Elimination System
P	Recreational Parks
PUD	Planned Unit Development
R	Residential
RSMo	Revised Statutes of Missouri
USGS	United States Geological Survey

SECTION 203 – DEFINITIONS

Accessory Structure: A structure which is:

- A. Subordinate to and serves a principal structure;
- B. Subordinate in area, extent, or purpose to the principal structure; and
- C. Contributes to the comfort, convenience, or necessity of occupants of the principal structure, located on the same lot as the principal structure, and shall include all structures whether or not they are permanently affixed to the ground by foundation or otherwise.

Accessory Use: A use which is:

- A. Subordinate to and serves a principal use;
- B. Subordinate in area, extent, or purpose to the principal use;
- C. Contributes to the comfort, convenience, or necessity of occupants of the principal use; and
- D. Located on the same lot or property as the principal use.

Administrative Plat: A plat that meets the conditions of the Administrative Survey as defined in Section 419.

Administrator / Planning Administrator / Planning Director: The person or persons appointed by the Commission with primary responsibility for administering and enforcing the Code.

Adult Entertainment Facility: An establishment where 5% or more of the total floor space or inventory is used for the commercial presentation or sale of material that is distinguished or characterized by an emphasis on depicting, describing, or displaying sexual activities. This includes, but is not limited to: adult bookstores, adult theatres (whether live or film), body painting studios, erotic dancing, escort services, massage parlors, nude wrestling studios, nude photography studios, and public baths.

Airport: An area of land used for the arrival and departure of fixed wing aircraft, plus all necessary taxiways, storage and tie-down areas, hangars, and other necessary apparatus, open space, and facilities.

Alteration: A physical change to one or more exterior features of a structure, including, but not limited to, the erection, construction, reconstruction, or removal of any feature of the structure.

Alteration, Structural: Any change in a load-bearing member of a building.

Amphitheatre: An open-air facility for the performing arts and other cultural events with tiered, stadium, or open-grass seating areas.

Anticipated Forty-Eight (48) Hour Maximum Flow: The sewage flow from a point source as calculated by an engineer registered in the State of Missouri.

Appurtenance: An item or property that is considered incidental or is in addition to the principal property, such as a shed, deck, porch, carport, et cetera.

Arena: An establishment used principally for the presentation of spectator sports with a seating capacity of 300 or more.

Basement: A story partly or wholly below grade. A basement shall be considered a story if the vertical distance between the ceiling and the average level of the adjoining ground is more than three (3) feet or if the basement is used for business or dwelling purposes.

Bed and Breakfast: A dwelling, or portion of a dwelling, that may be occupied by the proprietor and contains no more than four (4) guest rooms, where short-term lodging, with or without meals, is provided for compensation.

Big Box Retailers: A retail establishment with a total square footage of retail floor space that exceeds 20,000 square feet.

Boarding House (also lodging or rooming house): A building, other than a hotel or apartment hotel, where, for compensation and by pre-arrangement for definite periods, lodging, meals, or lodging and meals, are provided for three or more persons, but not exceeding twenty (20) persons.

Boarding School: A place of instruction that also provides for meals and furnishes sleeping quarters.

Board of Adjustment: The Camden County Board of Adjustment. An officially constituted body whose principal duties are to hear appeals and, where appropriate, grant variances from the strict application of the Camden County Land Use Code. See RSMo. Ch. 64.

Boat: A watercraft with a seating capacity of two or more people who do not sit in-line.

Boat Sales and Repair Facilities: A use in which the purpose is the repair and/or retail sale of boats and other watercraft to the public. Such use may or may not be located on the water or associated with a marina.

Boat Slip: A mooring for a single boat, not including parking spots for personal watercraft.

Building: Any structure having a roof supported by columns or walls for the shelter or enclosure of persons, animals, or property of any kind. A building shall include, but is not limited to: carports, sheds, gazebos, pavilions, portable buildings, storage facilities, houses, cabins, mobile homes, manufactured homes, and modular homes.

Building Coverage: The horizontal area measured within the exterior walls of the ground floor of all principal and accessory buildings on a lot divided by the gross area of the lot.

Building Height: The vertical distance from the grade to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip, and gambrel roofs. The average of the highest and lowest earth contact shall be used as the base point.

Building Line: A line specifically established upon a plat or by the zoning regulations which identifies an open area unoccupied and unobstructed from the ground upward, into which no part of a building shall project except as provided in the zoning regulations.

Building, Principal: A building in which the primary land-use of the lot is conducted.

Bulk Regulations: Regulations controlling the size of structures, the relationship of structures, and uses to each other and to open areas and lot lines. Bulk regulations

include regulations controlling (1) maximum height, (2) maximum lot coverage, (3) maximum floor area ratio, and (4) minimum size of yards and setbacks.

Camden County Zoning District: The area regulated by the Unified Land-Use Code within Camden County, Missouri as approved by voters from not more than three quarters of a mile, in certain areas, to not more than three and one-half miles, in other areas of the 645 foot mark of the Lake of the Ozarks measured from mean sea level. The following zoning districts are established in Camden County:

- A-1 Agricultural
- A-R Agricultural – Residential

- P-1 Parks and Reserves
- P-2 Commercial Parks

- R-1 Low Density Residential
- R-2 Medium Density Residential
- R-3 High Density Residential
- R-4 Manufactured Home Parks

- B-1 Offices & Neighborhood Commercial
- B-2 General Commercial
- B-3 Shopping District Commercial

- I-1 Industrial

- PUD Planned Unit Development

See also, Article 900.

Campground: An area or premises in which space is provided for transient occupancy of one month or less or use by visitors occupying recreational vehicles, camping trailers, or tents.

Code: The Camden County Unified Land-Use Code as originally passed and including all subsequent amendments, supplements, and revisions.

County Commission: The Camden County Commission. Elected officials ("Commissioners") responsible for establishing policies and procedures, enacting ordinances, supervising the activities of county departments, adopting county budgets, and providing various other services: the governing body of Camden County, Missouri. See *RSMo., Ch. 64*.

Common Open Space or Common Land: Land or water, or a combination thereof, within or related to a planned residential development, not individually owned or dedicated for public use, which is designed and intended for the common use or

enjoyment of the residents of the development. It may include complementary structures and improvements approved as part of the general development plan. It does not include streets, alleys, off-street parking, or loading for public use.

Community Center: A facility maintained by a public agency, by a not-for-profit organization, or by a neighborhood association primarily for social, recreational, or educational needs of the community or neighborhood.

Conditional Use: A use permitted in a particular zoning district on a case-by-case basis in a particular zoning district only upon showing that such use in a specific location will comply with all the conditions and standards for the location or operation of such use specified in the Code and as established by the Planning Commission.

Conditional Use Permit: A permit issued by the Planning Commission.
See Article 500.

Condominium: A building, group of buildings, or property in which units are owned individually, and the common elements are owned by all the owners on a proportional, undivided basis.

Construction: The act of adding an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

County: Camden County, Missouri.

County Commission: The governing body of Camden County, Missouri.

County Engineer: The engineer appointed by the County Commission charged with the administration of the county road and bridge department.

Cul-de-sac: A local street where one end is open to traffic and the other is terminated by a circular turn-around.

Dam: Any artificial or manmade barrier which impounds or diverts water, is more than six (6) feet high (as measured from the top to the toe of the slope on the downstream side), and stores 50 or more acre feet of water or is 25 or more feet high and stores more than 15 acre feet of water. Levees and small on-site wastewater system levees are excluded from this definition.

Day Care Center: A state licensed child care program conducted in a location other than the provider's permanent residence, or separate from the provider's living quarters, where care is provided for children not related to the child care provider for any part of the twenty-four (24)-hour day.

Day Care Home, Family: A childcare program where care is given by a person licensed by the state as a family day care home provider for no more than ten (10)

children not related to the provider for any part of the twenty-four (24)-hour day. The provider may be licensed to operate no more than one (1) family day care home or group day care home.

Day Care Home, Group: A childcare program where care is given by a person licensed by the state as a group day care home provider for eleven (11), but not more than twenty (20), children not related to the childcare provider, for any part of the twenty-four (24)-hour day. A group day care home shall be in a location other than the provider's permanent residence or separate from the provider's living quarters. The provider may be licensed to operate no more than one (1) group day care home or family day care home.

Dedication: The appropriation of land by its owner for general or special public use.

Developer: The legal or beneficial owner or owners of a lot or any land included in a proposed development, or the duly authorized agent thereof. Also, the holder of an option or contract to purchase, a lessee having a remaining term of not less than forty (40) years, or any other person having enforceable proprietary interest in such land shall be deemed to be a developer for the purpose of this Code.

Development: A construction project involving substantial property improvement and, usually, a change of land use character within the site: the act of using land for building or extractive purposes.

Dimensional Nonconformity: A nonconforming situation that occurs when the height, size, or minimum floor space of a structure, or the relationship between an existing building(s) and other buildings or lot lines, does not conform to the regulations applicable to the district in which the property is located.

Distribution Center: A commercial development used for the transfer of large volumes of material between sites or other businesses.

District: A part, zone, or area within the County of Camden, within which certain zoning regulations apply and are uniform.

Dock: A floating structure used for the parking of boats and/or personal watercraft. Dock means any structure, including a pier, wharf, loading platform, tie poles, dolphins, accessory structures, or a boat lift which is constructed on piles, over open water, or which is supported by flotation on the water.

Dock Assembly and Salvage Operation: A commercial business engaged in the construction, repair, maintenance, or recovery of floating assemblies.

Drive-In Establishment: An establishment, which accommodates the patrons' vehicles and from which the occupants of the vehicles may make purchases, transact business, or view motion pictures or other entertainment.

Drive-In Theatre: A commercial establishment in which multiple customers view films while remaining in their vehicles.

Dry Cleaning Facility: Business involved in the use of solvents in the cleaning process of clothing and cloth materials.

Dwelling: A building or portion of a building designed and used for residential occupancy of one or more persons, families, and/or households, including one-family, two-family, and multi-family dwellings. This definition excludes facilities used exclusively for sleeping, cooking, and sanitation. It also excludes hotel/motel rooms, camping trailers, recreational vehicles, and storage or garage facilities. See *RSMo., Ch. 64*.

Dwelling, Mobile Home: See *Mobile Home, Manufactured Home, and Modular Home definitions*.

Dwelling, Multi-Family (household): A dwelling or portion thereof designed, arranged, or occupied as a residence by two or more families, or households, having separate quarters and living independently of each other.

Dwelling, Single-Family (household): Means a building designed exclusively for residence purposes by one family or household.

Dwelling, Two-Family (household): Means a building designed exclusively for residence purposes by two families or housekeeping units living independently of each other.

Dwelling Unit: One or more rooms in a dwelling designed for occupancy by one family or household for living and sleeping purposes, includes cooking and sanitation facilities.

Easement: Authorization by a property owner for the use of their property by another for a specific purpose.

Effective Date of this Code: Whenever this Article refers to the effective date of this Code, the reference shall be deemed to include the effective date of any amendments to this Code if the amendment, rather than this Code as originally adopted, creates a nonconforming situation.

Engineer: A registered professional engineer in good standing in the State of Missouri.

Engineer of Record: The applicant(s) or developer's engineer.

Entertainment Establishment: An establishment where acts, amusement, performances, or shows are performed commercially.

Expenditure: A sum of money paid out in return for some benefit or to fulfill some obligation. The term also includes binding contractual commitments to make future expenditures, as well as any other substantial changes in position.

Fence: Any structure that exceeds twelve (12) inches in height above the nearest grade and encloses, partitions, or divides any yard or lot.

Final Plat: A subdivision plat that has been approved in accordance with this Code and has met all the requirements of this Code. See Appendix A.

Flood Plain: Areas designated by the Federal Emergency Management Agency as being in a one hundred (100) year floodplain. For the purposes of this document, the floodplain of the Lake of the Ozarks shall be all land as shown on the adopted Flood Insurance Rate Maps adopted by Camden County.

Food Service Establishment: A commercial venture in which the primary purpose is the preparation and sale of prepared food goods on premises which may be set down or carry out service.

Gaming Facility: A facility where legalized gambling takes place.

Garage (Commercial): A building or portion thereof, other than a private or storage garage, designated or used for equipping, servicing, repairing, hiring, selling, storing, or parking land-based, motor-driven vehicles. The term shall not include dismantling or storage of wrecked or junked vehicles.

Garage (Residential): A detached accessory building or portion of a main building on a residential zoned area, housing the passenger vehicles or trailers of the occupants of the premises.

Go Cart Track: A contained amusement area designed for the operation of small engine vehicles on a closed track.

Golf Course: An area of land used primarily to play the game of golf; this definition shall not include what is commonly referred to as the game of mini-golf.

Grade: Slope specified in percent (%).

Historic Area: An area designated by an authority, having buildings or places that are important because of their historical architecture, relationship to a related park or square, or because those areas were developed according to a fixed plan based on cultural, historical, or architectural purposes.

Historic Preservation: The research, protection, restoration, and rehabilitation of historic properties.

Historic Property: A building, structure, object, district, area, or site, whether on or beneath the surface of land or water, that is significant in the history, prehistory, architecture, archaeology, or culture of Missouri, its rural and urban communities, or the Nation.

Holding Tanks: A State approved container used for the temporary storage of sewage as an interim measure pending installation of a permanent system and with proper permitting/approval through the Camden County Wastewater Department and/or the Missouri Department of Natural Resources.

Home Occupation: See Residential Based Business.

Household: One or more related or unrelated persons living together as a single housekeeping unit in a dwelling unit.

Hotel/Motel: A commercial facility offering transient lodging accommodations on a daily rate to the general public.

Impervious Cover: The principal measure of development density. It is the coverage of all rooftops, roads, drives, walks, hard-surfaced trails, parking lots, and other hard-surfaced areas. Impervious cover is expressed as a percentage of the total land development site for projects in which all structures or buildings and other elements of impervious cover are approved in the permit. For new developments, impervious cover shall be expressed as a percentage of the unimproved areas.

Karst: A type of topography underlain by limestone and characterized by solutional features such as caves, bedrock pinnacles, losing stream segments, and sinkholes.

Kennel: Any premises where five (5) or more dogs or cats over six (6) months of age are kept.

Land Disturbance Permit: A permit issued by the Planning Administrator as further defined in Article 500 of this Code.

Lakefront: Abutting the shoreline of the Lake of the Ozarks or any tributary thereof.

Lakefront Property: Lots or pieces of property abutting the shoreline of the Lake of the Ozarks or any tributary thereof.

Lodging Facilities: Any building, group of buildings, structure, facility, place, or places of business where five (5) or more guest rooms are provided, which is owned, maintained, or operated by any person and which is kept, used, maintained, advertised, or held out to the public for hire which can be construed to be a hotel, motel, motor hotel, apartment hotel, tourist court, resort, cabins, tourist home, bunkhouse, dormitory, or other similar place by whatever name called.

Lot: A designated parcel, tract, or area of land established by a plat or otherwise as permitted by law and to be used, developed, or built upon as a unit. If a public body or any authority with the power of eminent domain condemns, purchases, or otherwise obtains fee simple title, or a lesser interest in a strip of land cutting across a parcel of land, otherwise characterized as a lot by this definition, and the interest thus obtained or the street so created is such as to effectively prevent the use of this parcel as one lot, then the land on either side of this strip shall constitute a separate lot.

Lot Area: The size of a lot measured within the lot lines and expressed in terms of acres or square feet.

Lot, Corner: A lot abutting on two or more streets at their intersection.

Lot Depth: The horizontal distance between the front and rear lot lines measured along the median between the two side lot lines.

Lot, Double Frontage: A lot having frontage on two non-intersecting streets, as distinguished from a corner lot.

Lot, Front of: The front of a lot shall be considered to be that side of the lot that fronts a street. In the case of a corner lot, the narrowest side fronting on the street shall be considered to be the front of the lot.

Lot, Interior: A lot other than a corner lot.

Lot Line: A boundary line of a lot.

Lot Line, Front: The lot line separating a lot from the street. On a corner lot, the shortest lot line abutting a street is the front lot line; on a through lot, both lot lines abutting the streets are front lot lines; on an irregular shaped lot, the front lot line is the lot line parallel to the abutting street.

Lot Line, Rear: Any lot-line not a front or side lot line. The rear lot line for a triangular shaped lot shall be a line ten (10) feet long drawn between the lot's side lot lines and parallel to the front lot line.

Lot Line, Side: The lot lines that intersect with a lot's front lot line.

Lot of Record: A lot, which is part of a recorded subdivision or a parcel of land on a plat or deed, which has been recorded by the Camden County Recorder of Deeds.

Lot Width: The mean horizontal distance between the side lot-line of a lot measured at right angles to the depth; the same distance measured at a point midway between the front lot line and the rear lot line; or the rear lot line of the required front yard (building line, especially on irregularly shaped lots).

Major Map Amendment: An amendment to the Zoning Map that addresses the zoning district classification of five (5) or more tracts of land in separate ownership, or any parcel of land (regardless of the number of tracts or owners) in excess of 50 acres.

Major Plat: Any subdivision of land that does not qualify as either an Administrative Plat or a Minor Plat, also referred to as a Major Subdivision Plat.

Manufactured Home: A factory-built structure that is manufactured or constructed according to the standards of the *National Manufactured Housing Construction and Safety Standards Act of 1974*, 42 U.S.C. § 5401, *et seq.*; 24 C.F.R. Part 3280 and Part 3282, that became effective June 15, 1976, that is built on a permanent chassis, and is to be used as a place for human habitation, but that is not constructed or equipped with a permanent hitch or device allowing it to be moved, other than for the purpose of moving to a permanent site, and that does not have wheels or axles permanently attached to its body or frame..

Manufactured Home Class A: A manufactured home no more than ten (10) years in age that meets or exceeds the construction standards established by the U.S. Department of Housing and Urban Development and that satisfies each of the following additional criteria:

1. The minimum width of the main body of the home as assembled on-site shall not be less than twenty (20) feet, as measured across the narrowest point;
2. The home has a length not exceeding three (3) times its width;
3. The pitch of the home's roof has a minimum vertical rise of one foot for each five (5) feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in standard residential construction;
4. The exterior siding consists of wood, hardboard, or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction;
5. A continuous, permanent foundation, without spaces or gaps, except for required ventilation and access, and is installed under the home. This may include a foundation with crawl space or basement; and
6. The tongue, axles, transporting lights, and removable towing apparatus are removed after placement on the lot and before occupancy.

Manufactured Home Class B: Any new or used manufactured home constructed after July 1, 1976, that meets or exceeds the construction standards established by the U.S.

Department of Housing and Urban Development but does not satisfy the criteria necessary to qualify as a Class A home.

Manufactured Home Class C: (Mobile Home) Any manufactured home that was built prior to July 1, 1976 and does not meet the criteria of a Class A or Class B home. In no circumstance will a Class C home be allowed within the area of Camden County that is covered by this regulation. *See also*, mobile home.

Manufactured Home Park: An area with required improvements and utilities for the long-term placement of manufactured homes for dwelling purposes. The site may also include services and facilities for residents of the development.

Manufactured Home Subdivision: A development containing lots intended for the individual placement of manufactured homes for dwelling purposes. *See also*, mobile home.

Marina: A waterfront facility providing one or more of the following:

1. Docking and/or wet or dry storage of boats for a fee;
2. Sales of marine supplies, parts, and fuel;
3. Minor boat service and repair; or
4. Boat sales, rental, and/or charter.

Master Plan: The comprehensive long range plan adopted by the Camden County Planning Commission for the coordinated physical development of Camden County, including, but not limited to: plans and programs regarding location, character and extent of transportation routes, bridges, schools, parks, and other elements of land use and development deemed appropriate. *See* Camden County Lake Area Master Plan.

Minor Plat: A subdivision consisting of six or fewer lots as further defined in Section 419 of this Code, also called Minor Subdivision Plat.

Mobile Home: A transportable, factory-built home designed to be used as a residential dwelling and built prior to the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1974, which became effective June 15, 1976. The placement of mobile homes as defined herein within Camden County are prohibited.

Model Home: A conventional home used temporarily for display and real estate sales purposes. Unit may not be subject to remodeling for commercial use. Unit may not be used as a general real estate office but only for the marketing thereof.

Modular Home: A factory manufactured transportable residential structure built to a nationally recognized and accepted construction standard published by the Building Officials Conference of America (BOCA) or the International Conference of Building Officials (ICBO), having been inspected and certified at the factory that it meets said standard. A modular home shall have exterior structure materials and appearance similar to the customary single-family structures in the neighborhood and shall be permanently situated on a concrete foundation. A modular home shall be subject to the same standards as site-built homes and shall be considered as a single-family detached dwelling.

Motel: See Hotel.

Multiple Use Plat: Any subdivision and/or development not qualifying as a Major Plat, or any one or more lots, parcels, or tracts of land not otherwise platted which may or may not be wholly contained within a Planned Unit Development; may also be referred to as a Multiple Use Subdivision Plat.

Natural Park: A tract of land for public or private use designed with walks, drives, and recreation grounds.

Noncommercial Studios and Workshops: The workroom of an artist, photographer, etc. in which no commercial transactions take place.

Non-Conforming Land Use or Structure: A land use or structure which existed lawfully on the date that this zoning Code or any amendment thereto became effective and which fails to conform to one or more of the applicable regulations in the zoning Code or amendment thereto.

Non-Conforming Lot: A lot existing at the effective date of this Code (and not created for the purpose of evading the restrictions of this Code) that does not meet the minimum area requirement of the zoning district in which it is located.

Nonconforming Project: Any structure, development, or undertaking that is incomplete on the effective date of this Code and would be inconsistent with any regulation applicable to the district in which it is located if completed as proposed or planned.

Nonconforming Situation: A situation that occurs when, on the effective date of this Code, an existing lot or structure or the use of an existing lot or structure does not conform to one or more of the regulations applicable to the district in which the lot or structure is located. Among other possibilities, a nonconforming situation may arise because a lot does not meet minimum acreage requirements, structures exceed maximum height limitations, the relationship between existing buildings and the land (in such matters as density and setback requirements) is not in conformity with this Code, or land or buildings are used for purposes made unlawful by this Code.

Nonconforming Structure: Any structure which does not conform to the regulation of structures for this Code for the district in which it is located either at the effective date of this Code or as a result of subsequent amendments which may be incorporated into this Code, but was either conforming or not subject to regulation previously.

Nonconforming Use: A nonconforming situation that occurs when property is used for a purpose or in a manner made unlawful by the use regulations applicable to the district in which the property is located. (For example, a commercial office building in a residential district may be a nonconforming use.) The term also refers to the activity that constitutes the use made of the property. (For example, all the activity associated with running a bakery in a residentially zoned area is a nonconforming use.)

Overlay District: A zoning designation specifically delineated on the Official Zoning Map, establishing land use requirements that may supersede, or are in addition to, the standards set forth in the underlying zoning district.

Parking Space: A durable, properly graded for drainage, usable space, enclosed in a main building or in an accessory building, or unenclosed, reserved for the temporary storage of one (1) vehicle, and connected to a street, alley, or other designated roadway by a surfaced aisle or driveway. Each such designated space shall comply with the dimensional requirements set forth in this document.

Performance Bond: Any financial security that is submitted in an amount and format satisfactory to the County Commission.

Permitted Use: Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

Personal Watercraft: A watercraft with all seating capacity in-line, including but not limited to jet skis and wave runners.

Pharmacy: A commercial establishment that dispenses medication to customers based on prescriptions from licensed doctors.

Places of Worship: A facility regularly used for organized religious services including, but not limited to: chapels, churches, mosques, synagogues, or temples.

Planned Unit Development (PUD): A type of zoning designation in Camden County. Typically, a PUD is a tract of land under single ownership, planned and developed as an integral unit, and consisting of a clustered residential development, a residential development of varying housing types and densities, or a combination of residential and non-residential uses of land. See Article 900.

Planning Administrator / Planning Director: See Administrator.

Planning Commission / Planning and Zoning Commission: A group of persons, each representing a specific township within Camden County, appointed to hear, investigate, report on, make recommendations for, and otherwise act upon matters relating to the enforcement of this Code.

Planning Department: The official office of the Administrator and staff.

Plat: A scale drawing of a tract of land including a property description.

Preliminary Plat: A plat indicating the subdivision of land for review purposes that is not recorder or approved by the Planning Commission or the Planning Administrator. *See Appendix A.*

Principal Use: The primary purpose, activity, or function for which a parcel or building is used.

Private Club: A building or portion of a building intended to be used as a center of informal association for a selective membership not open to the general public.

Private Drive: A driveway or driveway easement which provides entrance to a lot, lots, entity, a circulation driveway within a lot of private road, or a roadway easement connecting to a public road.

Public Gaming Fields: An area of land open to the general public, generally free-of-charge and principally used for sporting activities such as, but not limited to, baseball, soccer, football, or tennis.

Public Road: A road that is permanently controlled and maintained by a public governmental agency (entity with eminent domain authority).

Quarry: An establishment where excavation occurs from which stone is taken by cutting, blasting, or the like.

Real Estate Office: An establishment where professional agents with regular office hours make appointments to show, buy, or sell real property.

Recorder of Deeds: The Camden County Recorder of Deeds.

Record of Decision: The written official record and final decision of the Board of Adjustment, Planning Commission, and County Commission that describes the ruling and any special circumstances.

Recycling Center: An establishment where waste material, such as, but not limited to, aluminum cans, plastics, or newspapers are collected so that they may be reclaimed by being used in the manufacture of new products.

Regulations: The Camden County Unified Land-Use Code.

Re-Plat: A change or alteration in a previously recorded subdivision plat or portion thereof.

Residential Based Business: A small business that operates from the business owner's residence. A residential based business may involve land-uses that normally are not allowed in an R-1 zoning district. Such residential based businesses are allowed as long as they are scaled to a less intensive level and/or are conditionally approved so as to be compatible to the surrounding area.

Retail Sales and Service: Establishments engaged in the provision of goods or services to the general public on a non-wholesale basis.

Rezoning: An amendment to the zoning map or zoning Code that changes the zoning-district designation, use, or development standards.

Right-of-Way: The location of an easement for vehicular or pedestrian travel or use for public utilities as determined by recorded instrument or usage.

Road: Land delineated by survey, plat, or use for travel by motor vehicles and other means of transportation which includes but is not limited to streets, private drives and roads, and public roads.

Road/Bridge Maintenance and Improvement Manual: A manual on policy and procedures for road/bridge maintenance and improvements as adopted by the Camden County Commission.

Schools of General Instruction: Any public or private elementary, middle or junior high school, high school, college, or university.

Seawall: Retaining wall made of any material (placed) erected to maintain a stable lake frontage.

Self-Storage Facility: A building or group of buildings or structures that contains individual, compartmentalized, and controlled access stalls or locks for the storage of customers' goods or possessions for rent or lease to the public.

Set Back / setback: The required minimum, horizontal distance between the property line, road easement, road right-of-way, or 660-foot contour line of the Lake of the Ozarks (whichever is more restrictive) and the nearest side of any structure. The setback requirements apply to both public and private roads. For the purpose of determining setbacks, the measurement shall be from the property line, road easement, road right-of-way, or 660 foot contour line of the Lake of the Ozarks (whichever is most restrictive) to the structure or any attached appurtenance with any overhangs to be included as defined by a vertical line to the ground from the outer edge of the structure.

Shopping Center: A grouping of retail establishments contained in an enclosed location.

Short-Term: A temporary use of space for less than 120 hours.

Sign: Any words, numbers, figures, devices, designs, or trademark by which anything is made known, such as are used to designate an individual, a form, profession, business, or a commodity and which are visible from any public street.

Site-Built Homes: A dwelling built primarily at the location where it will be inhabited.

Small On-Site Wastewater System: Any subsurface sewage treatment system, lagoon disposal system, or other waterborne waste disposal method employing basic hydrologic or engineering principles which receives 1500 gallons or less of waterborne waste per day.

Solid Waste Disposal Area: Any area, above or below the ground, which is or has been used for disposal of solid waste.

Special Use: A use authorized, in a particular location for a specified period of time, only upon showing that such use will comply with all the conditions and standards for the location or operation of such use as specified in this Regulation and as authorized through a permit by the Board of Adjustment.

Special Use Permit: A permit issued by the Board of Adjustment as further defined in Article 500 of this Code.

Street: The improved portion of any road right-of-way that affords principal means of access to abutting property within a subdivision.

Structure: Anything constructed or erected; the use of which requires permanent or temporary location on or in the ground, including, but not limited to: buildings, decks, fences, gazebos, advertising signs, billboards, backstops for tennis courts, radio and television antennae and towers, and swimming pools.

Sub-Divider: Any owner, agent, or employee of an owner who authorizes proceedings to effectuate a subdivision of property under these regulations.

Subdivision: The division of land, which creates a lot, tract, or parcel of land twenty (20) acres or less in area or the creation of a new public road or multiple use development as the term is used in these regulations. This definition shall not apply to the division of land, which will otherwise result in the creation of an Administrative Survey or Administrative Plat, if the division of land is created by survey or a survey of land that prominently states on the survey that the land described and contained in the survey is non-developable or not for development, or the division of land may otherwise be administratively approved as a plat not subject to some or all of the subdivision requirements, and such statement is approved and signed by the Administrator.

Survey: Any land description prepared by a surveyor who is registered with the State of Missouri.

Target Range: An area with established safety boundaries to permit the discharging of firearms.

Through Street: A public street that is not a cul-de-sac and provides vehicular access from an area internal to a subdivision.

Total Square Footage: A measurement of the amount of floor space within a structure.

Transfer Station: A facility whose principal use is the short-term storage of solid waste that is in transit to a licensed landfill or other licensed solid waste disposal facility.

Utilities: Cable communications, including Internet service, telephone, and television; electrical power; natural gas; sewer; and water.

Variance: A procedure whereby relief may be granted from the strict letter of this Code where it can be clearly shown that by complying with this code, the owner of the property would suffer undue hardship. *See Article 600; see also RSMo. Sections 64.510 to 64.695.*

Vehicle Sales and Service Facility: A retail establishment specifically designed and used for the sale, maintenance, or repair of motorized road use vehicles.

Water Park: A contained amusement facility designed for water sport activities, such as slides, pools, wave areas, et cetera.

Well House: An accessory structure constructed specifically for the containment of water source equipment serving a structure or group of structures.

Zoning Map: The Zoning Map as adopted by the Camden County Commission, showing the zoning districts within the Camden County Lakes Area Zoning District.

Zoo: Any lot building, structure, enclosure, or premises whereupon or wherein are kept by any person, corporation, or political subdivision two or more wild or non-domestic animals, whether such keeping is for pleasure, profit, breeding, or exhibiting.

ARTICLE 300: ADMINISTRATIVE PROVISIONS

INTRODUCTION

Camden County land use is regulated by three governmental bodies and enforced by an Administrator and his or her staff. The Planning and Zoning Commission ("Planning Commission") is primarily charged with making zoning recommendations to the Camden County Commission ("County Commission"), which then makes zoning decisions. The Board of Adjustment handles appeals of certain decisions of the Planning Commission and/or the Administrator, as well as requests for variances from the strict application of the Unified Land Use Code ("Code"). The Planning Administrator ("Administrator") enforces and interprets the Code in accordance with Chapter 64 of the Missouri Revised Statutes and applicable regulations and rules of construction. The following sections describe the powers, duties, and procedures of each governmental body and the Administrator in greater detail.

PART ONE: PLANNING COMMISSION

SECTION 301 – APPOINTMENT, TERMS, NOTICE

1. There shall be established a Planning Commission consisting of eleven (11) members who shall be appointed by the County Commission. The membership shall consist of one (1) member representing each of the townships which is completely or partially contained within the boundary of the established Zoning Map and the designated highway engineer for Camden County. The highway engineer's term will be for the duration of his tenure of official position. Each of the township representatives must reside within the boundaries of the township that is being represented and outside the incorporated limits of any town or city that is not included within the zoning jurisdiction. If, despite good faith efforts, a representative cannot be found to fill a seat reserved for the resident of a particular township, the County Commission may appoint a resident of the unincorporated area of the Camden County District to fill the seat.
2. Planning Commission members shall be appointed for four-year staggered terms, but members may continue to serve until their successors have been appointed.
3. Planning Commission members may be removed by the County Commission at any time for failure to attend three (3) consecutive regular meetings or for failure to attend 30% or more of scheduled meetings in a 12-month period, or for any other good cause related to the performance of duties.

4. All members of the Planning Commission shall serve as such without compensation.
5. The Planning Commission shall establish a regular meeting schedule and shall meet frequently enough so that it can take expeditious action on applications that are appropriately submitted. The Planning Commission Chairperson, for the purpose of conducting a working session or to address special issues, may call special meetings. *See also, Section 302(3) (selection of Chairperson).*
6. Minutes shall be kept of all Planning Commission proceedings.
7. All Planning Commission meetings shall be open to the public. The agenda for the meeting shall be made and posted in advance of the meeting.
8. Public notice shall be provided for whenever a decision by the Planning Commission requires a public hearing. Public notice shall consist of the following:
 - a. Publication of a public notice describing the request in a newspaper of general County circulation a minimum of 15-days prior to the scheduled hearing date;
 - b. Mailing of a public hearing notice by certified mail to all owners of real property within 1000 feet of the property to be affected by the request a minimum of 15-days prior to the scheduled hearing date; and
 - c. If further or additional notice is deemed necessary by the Administrator, the Administrator may require an applicant to post a sign on the property or may charge a reasonable fee for the planning office to post such sign.

The Planning Department staff shall be responsible for ensuring that all public notices are properly published, mailed, or posted. The cost of these activities may be billed to the applicant.

See also, Article 1300.

SECTION 302 – QUORUM, Voting Procedures, OFFICERS, Committees

1. A quorum for the Planning Commission *shall consist of a majority of the membership excluding vacant seats*. A quorum is necessary for the Planning Commission to take official action.

2. All actions of the Planning Commission shall be taken by majority vote, with a quorum being present. In the case of a tie vote by the membership, the decision shall be judged to be a denial of the request. Upon request by any member, a roll call vote shall be taken.
3. At its regularly scheduled meeting in June of each year, the Planning Commission shall, by a majority vote of its membership (excluding vacant seats), elect one of its members to serve as Chairman to preside over all meetings and one member as Vice-Chair. The Vice-Chair will preside in the event that the Chairman is unable to do so. The members so elected shall serve for a period of one-year. Vacancies in these offices may be filled by a majority vote by the membership (again excluding vacant seats) for the unexpired terms only.
4. Both the Chairman and Vice-Chair may take part in all deliberations and vote on all issues.
5. A member may be excused from voting on a particular issue by a majority vote of the remaining members present under the following circumstances:
 - a. If the member has a direct financial interest in the outcome of the matter at issue,
 - b. If the matter at issue involves the member's own official conduct,
 - c. If participation in the matter might violate the letter or spirit of a member's code of professional responsibility, or
 - d. If a member has such close personal ties to the applicant that the member cannot reasonably be expected to exercise sound judgment in the public interest.
6. The Planning Commission may establish a review committee consisting of three (3) of its members to serve as a recommending body to the Planning Commission. The Review Committee members shall be elected by majority vote of the Planning Commission (excluding vacant seats) at the regularly scheduled meeting in January. The duties of the Review Committee shall be:
 - a. To meet, review, and provide a recommendation on some or all applications that require a public hearing by the full Planning Commission a minimum of twelve days prior to the hearing date; and
 - b. To provide recommendations to the Planning Administrator on administrative decisions upon request.

SECTION 303 – POWERS AND DUTIES

1. The Planning Commission may:
 - a. Make recommendations to the County Commission concerning proposed zoning map changes and amendments to the Unified Land-Use Code;
 - b. Make studies and recommend to the County Commission plans, goals, and objectives, relating to land-use, growth, development, and redevelopment of Camden County;
 - c. Develop and recommend to the County Commission policies, regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;
 - d. Perform any other duties as assigned by the County Commission or allowed pursuant to RSMo. Chapter 64;
 - e. Issue certain permits subject to the requirements of Articles 500 and 900; and
 - f. Approve plats subject to the requirements of RSMo. Chapter 64 and Article 400.
2. The Planning Commission may adopt rules and regulations governing its procedures and operations not inconsistent with the provisions of this Code.

SECTION 304 – ADVISORY COMMITTEES

1. From time to time, the County Commission or the Planning Commission may appoint one or more individuals to assist the Planning Commission in carrying out its planning responsibilities with respect to a particular subject area. For example, without limitation, the County Commission may appoint advisory committees to consider transportation plans, economic development plans, parks and open space plans, infrastructure plans, et cetera.
2. Members of such advisory committees may sit as non-voting members of the Planning Commission when such issues are being considered and lend their talents, energies, and expertise to the commission. However, the Planning Commission shall make all formal recommendations to the County Commission.
3. Nothing in this section shall limit the County Commission's ability to establish entirely independent advisory groups, committees, or

Commissions to make recommendations concerning any issue directly to the County Commission.

SECTIONS 305 THROUGH 307 ARE RESERVED

PART TWO: BOARD OF ADJUSTMENT

SECTION 308 – APPOINTMENT, TERMS, MEETINGS, AND NOTICE

1. There shall be a Board of Adjustment consisting of five (5) regular members. The members must all reside within the boundaries of that part of Camden County covered by the zoning map. No more than two (2) members can be residents of any incorporated area. A member of the Planning Commission may also be a member of the Board of Adjustment. All members of the Board of Adjustment will be appointed by the County Commission.
2. The Board of Adjustment regular members shall be appointed for four-year staggered terms but may continue to serve until the successors have been appointed. Members may be appointed and reappointed to a seat without limitation.
3. Board of Adjustment members may be removed by the County Commission at any time for failure to attend three (3) consecutive regular meetings or for failure to attend 30% or more of scheduled meetings in a 12-month period, or for any other good cause related to the performance of duties.
4. The Board of Adjustment shall establish a regular meeting schedule and shall meet frequently enough so that it can take expeditious action on applications that are appropriately submitted.
5. Minutes shall be kept of all Board of Adjustment proceedings.
6. All Board of Adjustment meetings shall be open to the public, and the agenda for the meeting shall be made and posted in advance of the meeting.
7. Public notice shall be provided for whenever a decision by the Board of Adjustment requires a public hearing. Public notice shall consist of the following:
 - a. Publication of a public notice describing the request in a newspaper of general county circulation a minimum of 15-days prior to the scheduled hearing date; and
 - b. Mailing of a public hearing notice by certified mail to all owners of real property within 600 feet of the property to be affected by the request a minimum of 15-days prior to the scheduled hearing date.

See also, Article 1300.

SECTION 309 – Quorum, Voting Procedures, and officers

1. A quorum for the Board of Adjustment shall consist of four (4) out of five (5) regular members. A quorum is necessary for the Board of Adjustment to take official action.
2. The concurring vote of four-fifths (4/5) of the regular board membership shall be necessary to reverse any order, requirement, decision, determination of the Administrator, to decide in favor of the applicant for any matter upon which it is requested to pass under any regulation (including the issuance of a Special Use Permit), or to grant any variance. A four-fifth's (4/5) vote is also required for the Board of Adjustment to reverse or modify any decision made by the Planning Commission concerning an application for Conditional Use Permit.
3. Once a member is physically present at a meeting of the board, any subsequent failure to vote shall be recorded as an affirmative vote, unless the member has been excused in accordance with subsection four (4), or has been allowed to withdraw from the meeting in accordance with subsection five (5).
4. A member may be excused from voting on a particular issue by a majority vote of the remaining members present under the following circumstances:
 - a. If the member has a direct financial interest in the outcome of the matter at issue,
 - b. If the matter at issue involves the member's own official conduct,
 - c. If participation in the matter might violate the letter or spirit of a member's code of professional responsibility, or
 - d. If a member has such close personal ties to the applicant that the member cannot reasonably be expected to exercise sound judgment in the public interest.
5. A member may be allowed to withdraw from the entire remainder of a meeting by majority vote of the remaining members present for any good and sufficient reason, other than the member's desire to avoid voting on the matters to be considered at that meeting.
6. At its first regular meeting of each year, the board shall, by a majority vote of its membership, elect one of its members to serve as Chairman to preside over all meetings. One of its members shall also be elected as

Vice-Chair. The Vice-Chair will preside in the event that the Chairman is unable to. The members so designated shall serve for a period of one-year. Vacancies in these offices may be filled for the unexpired terms only by a majority vote by the membership.

7. Both the Chairman and Vice-Chair may take part in all deliberations and vote on all issues.

SECTION 310 – POWERS AND DUTIES

1. The Board of Adjustment shall have the following powers and duties:
 - a. To hear and decide appeals where it is alleged there is error of law in any order, requirement, decision, or determination made by an administrative official in the enforcement of this Code;
 - b. To hear and decide all matters referred to it or matters it is required to determine under these Regulations, including but not limited to:
 - (i) applications for Special Use Permits; (ii) questions involving interpretation of the Zoning Map (including disputed district boundary lines and lot lines); and (iii) appeals from certain decisions of the Planning Commission; and
 - c. Where, by reason of exceptional narrowness, shallowness, shape of topography, other extraordinary or exceptional situation, or condition of a specific piece of property, the strict application of any of these Regulations, or those adopted under Sections 64.510 to 64.695, RSMo., would result in peculiar and exceptional difficulties to or exceptional and demonstrable undue hardship upon the owner of the property as an unreasonable deprivation of use as distinguished from the mere grant of a privilege, to authorize, upon an appeal relating to the property, a **variance** from the strict application, so as to relieve the demonstrable difficulties or hardships, provided the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the plan as embodied in this Code and the Zoning Map. *See also*, Article 600.
2. The Board of Adjustment may adopt such rules and regulations governing its procedures and operations as are not inconsistent with the provisions of this Code and Missouri law.
3. In exercising the above powers, the Board of Adjustment may reverse or affirm wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end, shall

have all the powers of the officer from whom the appeal is taken. Any owners, lessees, or tenants of buildings, structures, or land jointly or severally aggrieved by any decision of the Board of Adjustment may present to the circuit court of the County a petition, duly verified, stating that the decision is illegal in whole or in part, specifying the grounds of the illegality and asking for relief therefrom.

SECTIONS 311 THROUGH 313 RESERVED

PART THREE: PLANNING ADMINISTRATOR

SECTION 314 – POSITION

1. Except as otherwise provided, primary responsibility for administering, enforcing, and interpreting this Code shall be assigned by the Camden County Commission to one or more individuals. The person or persons appointed and charged with such responsibility shall be referred to as the "Planning Administrator" or "Administrator." *RSMo. 64.650.*
2. The Planning Administrator is the administrative head of the Planning Department.

SECTION 315 – POWERS AND DUTIES

1. The Administrator is authorized to issue all permits referenced and allowed by the Code and may make and retain records thereof.
2. The Administrator is authorized to approve and sign all major and minor subdivision final plats and certain other plats, prior to recordings, subject to Article 400 and *RSMo. Chapter 64.*
3. No building or other structure shall be erected, constructed, reconstructed, enlarged, altered, or repaired in such manner as to prolong the life of the building, nor shall the use of any land be changed, without the appropriate approval(s) and permit(s). *See also, RSMo. Chapter 64.*
4. The Administrator may revoke any permit unlawfully issued or any permit wherein defective work has been performed if such work has not been corrected within thirty (30) days of notification. *See also, Article 700 and RSMo. Chapter 64.*
5. The Administrator may require that all construction or work of any type be stopped when such work is not in compliance with this Code. *See also, Article 700.*
6. The Administrator may conduct inspections of buildings, structures, and the use of land to determine compliance with the terms in this Code. *See also, Article 700.*
7. The Administrator may forward to the Planning Commission all applications for amendments to this Code. *See also, Article 1300.*
8. The Administrator shall forward to the Board of Adjustment applications for appeals, variances, and other matters on which the Board of Adjustment is required to hear under this Code and Missouri law.

9. The Administrator shall have such other powers as are appropriate to enable him or her to perform his or her duties in a manner consistent with Missouri law and this Code.

PART FOUR: COUNTY COMMISSION

SECTION 316 – THE COUNTY COMMISSION

1. The County Commission may, after approval by vote of the people of the county, provide for the preparation, adoption, amendment, extension, and carrying out of a county plan for all areas of the county outside the corporate limits of any city, town, or village which has adopted a city plan in accordance with the laws of the state. Upon the adoption of the county plan, there is created in the county a County Planning Commission as herein provided. *RSMo. Section 64.510*
2. The County Commission shall have the final authority concerning any proposed changes to the zoning map and the Unified Land-Use Code.
3. Article 1300 of the Unified Land-Use Code addresses the procedural requirements for such changes.
4. Public notice shall be provided for whenever a decision by the County Commission requires a public hearing. See Articles 300 and 1300, see also *RSMo. Chapter 64*.

ARTICLE 400: PLATS AND SUBDIVISIONS

SECTION 401 –GENERAL PROVISIONS

1. From and after the effective date of these regulations, and any amendments thereto, any person who subdivides any land located within Camden County—as the term is defined in these regulations and to which these regulations apply—shall cause a plat or administrative survey to be prepared of such subdivision in accordance with these regulations and the laws of the state of Missouri and shall also cause such plat or administrative survey to be recorded in the office of the County Recorder of Deeds.
2. No Preliminary Plat shall be reviewed or approved by the Planning Administrator or Planning Commission unless such plat is consistent with the Master Plan and complies with the Unified Land-Use Code and any other rules and regulations adopted by the County, which may apply to the land subdivided or the use thereof.
3. It shall be unlawful for any person to file or record any plat, survey, or other instrument of sale, transfer, or convey, with the Recorder of Deeds of the County, which affects a subdivision of land subject to these regulations, unless such land has been subdivided in compliance with these regulations and Missouri law.
4. It shall be unlawful for any person to sell or transfer any land which would affect a subdivision of land subject to these regulations without first subdividing such land in compliance with the provisions of these regulations.
5. No Construction Permit or other permit covered by this Code shall be issued, nor shall any person construct or install any building on land to which these regulations apply, unless such land has been first subdivided in accordance with these regulations, subject to the following exceptions:
 - a. A construction permit may be issued without approval and recordation of a Final Plat in district A-1: Agricultural, and A-R : Agricultural Residential, for the construction of one (1) single family residential structure, or accessory use structures subject to the following conditions:
 - i. Subject to Density requirements of A-1 and A-R zoning districts. Not to exceed two (2) dwelling units per lot, and a maximum density of one (1) single family home per five (5) acres in A-1. Not to exceed one (1) dwelling unit per lot and a minimum lot size of three (3) acres in A-R.

- ii. The proposed construction is not being instigated for the purpose of resale and/or prior sale of tract has not occurred since June 1, 2004, the adoption date of this Code.
 - iii. Subject to the provisions for conveyance of lands, surveyed in accordance with Missouri State Standards for Property Boundary Surveys, including recording of said survey or Plat in accordance with RSMo. Section 137.185.
 - iv. The property has been transferred in accordance with provisions of Section 402 below: Exempt Survey—where transfer of land has occurred between direct family members.
- b. No Zoning Permit for construction or other permit covered by this Code shall be issued, nor shall any person construct or install any building or structure on land designated as non-developable or not for development on a recorded or unrecorded survey signed and approved as such by the Planning Administrator, unless re-subdivided or further subdivided in accordance with these regulations.
- c. In accordance with Section 501, a zoning permit is not required for non-agricultural structures less than 120 square feet in size, provided all applications and necessary compliance with a Floodplain Development Permit, a Land Disturbance Permit, Health Department Permits, Special or Temporary Use Permits, and other jurisdictional permits, if required, are met for non-substantial structures, without approval and recording of a Final Plat in all zoning districts. Construction of the following types of structures or similar construction shall be included:
- i. Accessory use structures < 120 Sq. Ft. (must meet applicable height, and yard setback requirements for the district);
 - ii. Retaining walls < 4 feet in height (must be within the property lines);
 - iii. Retaining walls > 4 feet in height (must be within the property lines and properly permitted);
 - iv. Driveways, sidewalks, and patios (must be within the property lines); and

- v. Appendix K-7 Exclusions, including but not limited to:
over-the-air reception devices, including the reception
antennas for direct broadcast satellites (DBS), multi-channel
multipoint distribution (wireless cable) providers (MMDS),
television broadcast stations (TVBS), and other
customer-end antennas that receive and transmit fixed
wireless signals that are primarily used for reception,
facilities exclusively for private, non-commercial radio and
television reception and private citizen's bands, licensed
amateur radio, and other similar non-commercial
Telecommunications.
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- 6. No land shall be subdivided in any manner except by land survey prepared by a licensed or registered land surveyor. No survey of land of any kind prepared by or under the direction of a licensed or registered land surveyor shall be recorded in the office of the Recorder of Deeds, unless reviewed and signed by the Planning Administrator. The Recorder of Deeds shall not file or record a subdivision plat of any land located within the county to which these regulations shall apply, unless the plat has been approved and signed by the proper officials in accordance with these regulations. RSMo. Section 64.590.
 - 7. It shall be unlawful to create or build any non-governmentally maintained publicly dedicated road or private drive, except as authorized by these regulations or as authorized for planned developments under the Camden County Unified Land-Use Code.
 - 8. It shall be unlawful to establish or enforce any private subdivision restriction or covenant which conflicts with any mandatory requirement or impedes implementation or enforcement of any minimum requirement set forth in these regulations.
 - 9. No building or structure shall be constructed, erected, or installed within the designated right-of-way for any major thoroughfare if the boundaries of such right-of-way are described or defined by boundary survey or other lawful metes and bounds descriptions. Such boundary survey or metes and bounds description must have been recorded or officially filed with the Planning Administrator and designated by the major thoroughfare plan contained within the Master Plan in effect on the day these regulations are enacted or thereafter. All applicable building setback requirements (see Article 900) shall apply from such designated right-of-way boundary lines.

SECTION 402 - CLASSIFICATIONS

From and after the effective date of these regulations, all subdivisions and/or developments subject to these regulations shall be surveyed or platted in accordance with the following classifications:

1. **Exempt Survey** – Certain subdivision actions are considered an exempt action and, other than a review by the Planning Administrator and a licensed surveyor to establish exempt status, no further reviews will be conducted, and the Planning Administrator is authorized to administratively approve and sign the survey for recording. Being established as an exempt survey does not waive any of the remaining provisions and requirements of the Unified Land-Use Code, except as specifically identified in this Code. To record an exempt survey in the office of the Recorder of Deeds, the developer must show a copy of the written exemption. The following are considered exempt:
 - a. The transfer of land that is zoned agricultural to an immediate family member consisting of a transfer from or to a son, daughter, sister, brother, father or mother, or grandfather or grandmother;
 - b. The adjustment of property lines between two or more properties that are not part of an existing recorded subdivision, do not create any additional parcels, and will not reduce an existing property below the minimum property size for the zoning district;
 - c. The modification by survey of an easement or setback line, so long as the change is in compliance with these regulations; and
 - d. Any survey involving one or more tracts all of which are greater than twenty (20) acres in size.
2. **Administrative Plat** – Any survey consisting of one or more lots, any and all of which are less than twenty (20) acres in size, but equal to or greater than ten (10) acres, and all of which have a frontage upon and direct access to an existing public road, or no more than four (4) such lots that have a common private drive with direct access to a public road. Plat preparation is subject to Appendix A: Plat Standards.
3. **Administrative Survey** – A recordable survey prepared for the purpose of land transfer of ownership, or a recording of a plat of survey on an existing, previously established ownership parcel, consisting of one tract of land, which has a frontage upon and direct access to an existing public road or ingress and/or egress easement, and is situated on land where no Final Plat of Subdivision has previously been recorded. This is subject to

deed parcel creation prior to adoption of Unified Land Use Code, June 1, 2004.

4. **Lot Split Survey** – The Planning Administrator is authorized to approve a plat when the Administrator determines that the proposed subdivision and/or development meets all of the following criteria:
 - a. The proposed subdivision of land and/or development is in conjunction with a Planned Unit Development, or Preliminary Plat, in which cluster housing or Townhome units are planned for individual fee ownership;
 - b. The parent parcel has been Platted in accordance with Unified Land Use Regulations, providing all necessary subdivision design and improvements required by the Code;
 - c. The location and density of the units is in compliance with the approved Area Plan, and location of individual units have been surveyed for location of party walls and unit limits as evidenced by submission of a Certificate of Survey prepared by a registered professional surveyor;
 - d. The proposed subdivision and/or development is not in conflict with adopted plans or other code provisions of Camden County; and
 - e. The plat may not be approved until all required dedications of public right of way and easements, if any, are made and accepted by the County Commission.
5. **Condominium Plat** – The Planning Administrator is authorized to approve a condominium plat when the administrator determines that the plat complies with all of the following requirements:
 - a. The plat must comply with the approved Preliminary Plat that was approved for the overall development, including any limits on the maximum number of condominium units allowed;
 - b. The plat must conform with the requirements of RSMo. Section 448.2-109;
 - c. The plat must show the footprint of the building and the building identification system;
 - d. The plat must include a permanent benchmark and reference to the survey monuments by metes and bounds description;

- e. The plat must include the owner's signature;
 - f. The plat must include the name address and phone numbers of the owners and company preparing the condominium plat;
 - g. The plat must include the surveyor(s)' seal, signature, and certification;
 - h. The plat must include the exact dimensions of the condominium units;
 - i. The plat must show the location of the common elements and the limited common elements;
 - j. The plat submission must include a chronological chart referencing the building number, plat book and page, and date of any previously recorded condominium plat, where there are multiple condominium plats;
 - k. The plat submission must include the declarations of condominium or amendment to the declarations; and
 - l. The plat may not be approved until all required dedications of public right-of-way and easements, if any, are made and accepted by the County Commission.
6. **Minor Plat** – The Planning Administrator may approve any subdivision plat consisting of six (6) or fewer lots, any one of which is less than ten (10) acres, but with no lots less than three (3) acres or the minimum acreage set forth for the zoning district in which the property is located (if served by a MDNR approved centralized wastewater system), where each lot either has direct access to and frontage upon an existing public road or has a common private driveway situated on and created for the exclusive use of no more than four (4) lots providing ingress and egress to a public road.
7. **Multiple Use Plat** – Any subdivision and/or development not qualifying as a Major Plat, or any one or more lots, parcels, or tracts of land not otherwise platted and not wholly contained within a Planned Unit Development as defined by the Unified Land-Use Code of Camden County (see Article 200, Article 800), which contain or are intended to contain two (2) or more buildings, each designed to connect or relate to one or more residential dwelling units to one (1) or more buildings having more than one (1) commercial or industrial business use or two (2) or more buildings each designed or intended to contain one (1) commercial or industrial business use.

8. **Major Plat** – Any subdivision and/or development that does not qualify, as an Administrative Survey, a Minor Plat, or a Multiple Use Plat as described above, must be submitted as a Major Plat.

SECTION 403 - Administrative Survey and minor plat Review PROCESS

1. Administrative Survey and Minor Plats
 - a. Pre-Application Conference – Before an application for Administrative Survey or Minor Plat will be accepted, a pre-application conference is required. Pre-application conferences are to be arranged by the applicant, who must bring at a minimum, a sketch plan (see Appendix A) as a basis for discussion. The purpose of the conference is to ensure that the applicant understands the requirements of the Unified Land-Use Code as they affect the subdivision and to explain the review process. Issues to be discussed include, but are not limited to: platting requirements, zoning district requirements, and other topics as applicable. The pre-application conference is required, but it is not a regulatory proceeding and is intended as a service to the developer. The Planning Administrator may waive the requirement for a pre-application conference.
 - b. An Administrative Survey may be submitted for the Planning Administrator's review and approval at any time during normal business hours. Any administrative survey meeting the requirements of these regulations shall be summarily signed as approved by the Administrator within ten (10) business days of submission to the Administrator provided all required right-of-way and easements have been dedicated to public use and/or otherwise conveyed as required by these regulations.
 - c. The application for a Minor Plat can be submitted to the Planning Administrator at any time during regular business hours. Once the application and required submittals have been verified as being complete, it will be accepted and dated. At a minimum, the application will include a completed application form, sketch plan that meets minimum standards (See Appendix A), and a warranty deed for the subject property showing proof of ownership.
 - i. The Administrator shall review the submitted sketch plan and issue a sketch plan review letter detailing all requirements that must be met for acceptance and recording of the final Minor Plat. The proposed Minor Plat shall be reviewed in terms of whether it does or will meet zoning and other land

use regulations, the availability of utilities and adequacy of water supplies, waste disposal systems, as well as impact on road use and other surrounding land uses.

- ii. Based on the sketch plan letter, the developer may submit the final plat of the Minor Subdivision and/or development for review and approval by the Planning Administrator. At this time, the recording cost and any administrative fees shall be collected. Once the plat has been signed, it will be recorded by the Planning Administrator in the office of the Recorder of Deeds.

- d. The Administrator, in the exercise of his or her discretion, may require what would otherwise qualify as a Minor Subdivision and/or development, or an Administrative Survey or Plat, to be platted as a Major Plat, if and only if the Administrator finds that roads or utilities surrounding the proposed subdivision, development, or Administrative Survey or Plat are inadequate to serve the proposed subdivision and/or the surrounding area and that the requirements for approval of a major subdivision plat will facilitate adequate road, water, and sewer or other utility service.

2. Major Plat Preliminary Review Process

- a. Prior to submitting a Preliminary Plat or Multiple-Use Plat the developer is required to have a pre-application conference using the same standards as covered in (1)(a) above.
- b. A Major Subdivision or Multiple-Use Preliminary Plat may be submitted to the Planning Administrator during normal business hours a minimum of thirty (30) days prior to the hearing where the Preliminary Plat will be reviewed by the Planning Commission. The minimum submittals are a completed application, three (3) copies of a fully prepared Preliminary Plat (See Appendix A), and the warranty deed for the subject property showing proof of ownership.
- c. The Planning Commission will review the Preliminary Plat at an open hearing. The Administrator shall forward the Preliminary Plat and all supporting documentation to the Commission for its review together with a report or statement concerning whether the Preliminary Plat, in the Administrator's opinion, is in compliance with these regulations as well as any fact relevant thereto. Based on the review by the Planning Administrator, review by the Planning Commission, and all information acquired from the hearing, the Planning Commission may approve, conditionally approve, or disapprove the Preliminary Plat. A Preliminary Plat may be

disapproved if it is inconsistent with the Master Plan or is not in compliance with the Unified Land-Use Code or other regulations established by the County. The applicant may ask for a continuance to provide an opportunity to make such changes as will bring the plat into conceptual compliance. In the event of such a continuance the Preliminary Plat will be returned for additional review to the Planning Commission at a date established by the Planning Commission.

- d. Based on the Planning Commission approval of the Preliminary Plat, the developer must prepare all required improvement plans (storm water, road, water, sewer, et cetera) for submittal and review by the Planning Administrator. All improvement plans must be prepared by, signed, and sealed by, an engineer that is registered and certified by the State of Missouri.
- e. Based on the improvement plans and the approved Preliminary Plat, the developer may submit the Final Plat for review and approval by the Planning Administrator. See Appendix A. The Final Plat must comply with all provisions of the Unified Land-Use Code of Camden County with specific attention to Appendix A: Plat Standards. Recording fees shall be collected at the time the Final Plat is submitted. No Final Plat shall be approved later than the fifth (5th) anniversary after the date of the Planning Commission's approval of the Preliminary Plat unless the developer has constructed or installed all improvements required by these regulations.
- f. No Final Plat shall be approved by the Planning Administrator unless all improvements specified in the plat, including but not limited to: streets, roads, sewers, water lines, fire hydrants, utilities and other improvements designed to serve the platted lots have been constructed, installed, and completed, and adequate public infrastructure such as roads, highways, sewers, water supply and utilities are or will be available to serve the additional public infrastructure requirements of and caused by the subdivision and/or development. Prior to recording the Final Plat, the required public improvements must either be built and approved or financially secured.
- i. Public improvements will be deemed approved upon submittal by the project engineer of an affidavit certifying that the required public improvements have been installed in full compliance with the approved plans. For developments that are phased, this will apply to all improvements included on the schedule of improvements for that phase.

- ii. It is possible for the developer to financially secure the required public improvements with the County prior to their being built in order to speed up the recording of the Final Plat. The project engineer is required to submit a signed and sealed estimate of the total cost of the remaining improvements broken down into a reasonable summary. A total of one and one-half (1½) times the total value of the remaining improvements must be financially secured in an acceptable manner to the County. Such financial security is normally arranged to cover one (1) to two (2) years and if the improvements are not completed in the established time frame, the County shall have the right to use the secured funds to complete the required facilities.
- iii. Escrowed funds will be returned based on submitted proof that improvements have been completed as required. Only when all the required public improvements are completed and certified shall the remaining funds be returned.
- iv. The County may charge up to one (1) percent of the total amount established as an escrow as an administrative fee.

SECTION 404 – REPLATS AND AMENDED PLATS

1. A replat (or resubdivision) is any change or modification of a recorded subdivision that involves one of the following circumstances:
 - a. The change or creation of any road right-of-way,
 - b. Any change of the outer boundary of a recorded subdivision caused by either removal or addition of property to the subdivision, or
 - c. An increase in the number of buildable lots within a recorded subdivision.
2. An amended plat is any change or modification to a recorded subdivision that does not involve one of the circumstances listed in (1) above.
3. The owner of any land that has been subdivided into a recorded plat may replat such land only if the existing plat or part thereof to be re-platted is first vacated.
4. A replat must be submitted to the Planning Commission for review and approval using the same procedure as a Preliminary Plat (Section 401 (2)). The Planning Commission will only approve a replat if it will not adversely affect the character of the neighborhood, traffic conditions,

circulation, the proper location, alignment and improvement of streets and roads within and adjacent to the subdivision, property values within the subdivision, and public utility facilities and services and will not generally adversely affect the health, welfare, or safety of persons owning or possessing real estate within the subdivision to be vacated or surrounding real estate.

5. An amended plat is reviewed and approved by the Planning Administrator using the same procedure as a Minor Plat (Section 401 (1)). In no circumstance will a lot be established through an amended plat that is unbuildable due to the size or shape of the lot.

SECTION 405 – PLAT VACATION AND RESTRICTIONS

1. Recorded subdivision plats may be vacated in whole or part only under the following circumstances and conditions:
 - a. Pursuant to the Statutes of the State of Missouri, only the County Commission may authorize the vacation of any road of record. Regardless of whether a road has ever been constructed, a road created by the recording of a subdivision is by definition a road of record.
 - b. A recorded subdivision may be vacated in its entirety without approval of the Planning Commission, so long as all real estate contained within the subdivision to be vacated is owned by the party or parties seeking vacation and no buildings, structures, utilities, or other improvements have been constructed, erected, or otherwise installed or placed upon property contained within the subdivision to be vacated.
 - c. A plat may be vacated in whole or part without approval of the Planning Commission if the recorded subdivision covenants, restrictions, and/or regulations, applicable to and binding upon all property within the subdivision, establish a method or procedure to permit or authorize a subdivision lot or plat vacation, and such method or procedure has been used as shown of record.
 - d. Except as otherwise provided in subsections (a & b) above, no subdivision plat may be vacated in whole or part unless the owner of the land for which the vacation is sought, petitions the County Commission for the vacation in writing, and the County Commission finds after a public hearing that the vacation will not adversely affect the character of the neighborhood, traffic conditions, circulation, the proper location, alignment and improvement of streets and roads within and adjacent to the subdivision, property values within the subdivision, public utility facilities and services, and further finds that the vacation will not generally adversely affect the health, welfare, or safety of persons owning or possessing real estate within the subdivision to be vacated or surrounding real estate.

SECTION 406 - UNIFIED DEVELOPMENT

No land within a recorded administrative survey or minor, major, or multiple-use, subdivision plat shall be further subdivided, resubdivided, or amended, as an administrative survey, or minor or multiple-use subdivision plat or by any other means of description, unless the Planning Administrator determines that the modification will not impair or otherwise hinder the unified development of the land. This consideration shall take into account the subdivision to be subdivided or resubdivided and all areas adjoining or adjacent thereto taking into account the potential population densities under current zoning, the county master plan and the availability and adequacy of roads, water, sewers, and other utilities, as well as the geography and current land use of the area.

SECTION 407— PLAT APPROVAL NOT ACCEPTANCE OF DEDICATION

Approval of a plat does not constitute acceptance by the County of the offer of the dedication of any street, sidewalk, park, or other public facilities shown on the plat. However, the County may accept any such offer of dedication by resolution or by exercising control over and maintaining such facilities.

ARTICLE 500: PERMITS

SECTION 501 – PERMITS REQUIRED

1. The use of property may not be substantially changed, substantial clearing, grading, or excavation may not be commenced, and buildings or other substantial structures may not be constructed, erected, moved, or substantially altered except in accordance with and pursuant to one of the following permits:
 - a. Construction Permits issued by the Planning Administrator.
 - b. Land Disturbance Permit issued by the Planning Administrator.
 - c. A Special-Use Permit issued by the Board of Adjustment.
 - d. A Conditional-Use Permit issued by the Planning Commission.
 - e. Other permits may also be issued in the manner prescribed by this Code.
2. A Zoning Permit, Special-Use Permit, or Conditional-Use Permit shall be issued in the name of the applicant (except that applications submitted by an agent shall be issued in the name of the principal), shall clearly identify the property involved and the proposed use, shall incorporate by reference the plans submitted, and shall contain any special conditions or requirements lawfully imposed by the permit-issuing authority.

SECTION 502 – CONSTRUCTION PERMITS

In compliance with RSMo. Section 64.650, no building or structure can be erected, modified, altered, or relocated without approval by the Planning Administrator. This requirement is intended to ensure compliance with zoning requirements such as applicable setbacks, height requirements, parking, access, provision of utility services, et cetera. The following construction activities shall be subject to the provision of this regulation:

- All non-agricultural structures;
- All residential structures;
- All commercial / office / industrial structures;
- All non-agricultural accessory structures 120 square feet and larger in size regardless of the permanent or temporary nature of the construction;

- All temporary construction structures such as construction trailers, sales trailers, temporary asphalt or concrete structures, et cetera; and
- Any structure so designated by the Planning Administrator with the exception that a construction permit shall not be required for any agricultural structure.

SECTION 503 – PROCEDURE FOR CONSTRUCTION PERMITS

1. An application for Construction Permit may be submitted to the Planning Administrator during regular business hours. The following submittals are required at a minimum:
 - a. Completed permit application;
 - b. Sketch plan showing at a minimum the lot lines with dimensions, location of access, location of structure with dimensions, specific details for any structure for which the permit is intended, and any other information as required by the staff;
 - c. Only the property owner or trustee has the authority to request a construction permit. Proof of ownership, such as a warranty deed, is required to establish the property ownership, and either the owner must sign the application or a signed affidavit must be provided establishing permission to proceed;
 - d. All appropriate approvals from applicable agencies (fire districts, water districts, sewer districts, MoDOT, MDNR, et cetera);
 - e. Construction Permits involving multi-family, commercial, office, or industrial development will require additional submittals as identified by the Planning Administrator; and
 - f. The Planning Administrator may require additional information as appropriate.
2. Once the Planning Administrator has verified that the application is complete and includes the required submittals it will be accepted and dated. An incomplete application will not be accepted. Any required fees will be collected at the time of the application submittal. The following process will then be followed:
 - a. The requested permit will be reviewed by staff for general compliance with the Unified Land-Use Code.
 - b. A site visit will be conducted to establish that the required setbacks will be met and that no special circumstances exist.

- c. The above being the case, the permit shall be issued within a reasonable time period.
- d. A Construction Permit can cover only a single structure.
- e. Once issued, the staff will promptly send written notice to the applicant of the approval or denial of the permit. If approved, the Planning Department will post the permit if appropriate space is provided in a clearly visible location or the owner/developer is required to post the permit in a clearly visible location, while the construction is under way. If the permit is denied, a written explanation shall be provided.
- f. A Construction permit is valid for a maximum of one-year. A single six-month extension can be administratively granted before a new permit is required.

SECTION 504 - LAND DISTURBANCE PERMIT

1. LAND DISTURBANCE PERMIT

A Land Disturbance Permit is required for any land disturbance activity including the installation of streets and/or utilities on any site exceeding one (1) acre in area. A Land Disturbance Permit can be issued to unzoned properties and/or to properties subject to zoning or rezoning applications. The Land Disturbance Permit is intended to address those issues that occur during development concerning sediment & erosion control and those long-term issues that are related to storm water drainage. All applications for Land Disturbance Permits shall be submitted on forms provided by the Planning Department and shall contain all information as required by the Planning Administrator (See Appendix D). The following are exempt from the requirement to acquire a Land Disturbance Permit:

- A. All Agricultural activities as defined by the Revised Statutes of Missouri;
- B. Any residential site development that involves less than one (1) acre of disturbed area; and
- C. Any work required by Camden County that is of an emergency or corrective nature that involves public safety.

2. SEDIMENT & EROSION CONTROL

- A. No zoning, special-use, or conditional-use permit may be issued

and final plat approval for subdivisions may not be given with respect to any development that would cause land disturbing activity unless a Land Disturbance Permit is requested, approved, and issued.

- B. For purposes of this section, land disturbing activity means any use of land by any person in residential, commercial, industrial, or office development, and road construction and maintenance that results in a change in the natural cover or topography and that may cause or contribute to sedimentation. Sedimentation occurs whenever solid particulate matter, mineral or organic, is transported by water, air, gravity, or ice from its site of origin.
- C. Any development that involves one (1) acre or more of land area that is to be cut, filled, graded, or otherwise disturbed shall submit a Sediment & Erosion Control Plan to the Missouri Department of Natural Resources for review and approval. A copy of the plans and the approval shall be a requirement to receive a Land Disturbance Permit from Camden County.
- D. All development activities are required to address the issue of sediment and erosion control regardless of whether or not a Land Disturbance Permit was/is required. In the event that a complaint is received concerning sediment and erosion control from drainage resulting from land disturbance and construction activities that is verified as a valid complaint, the administrator can require such corrective action is necessary to abate the complaint.
- E. Vertical Slope Limitations – No single, vertical slope created due to topographic modifications within a development shall be allowed to span a height greater than 25-feet without providing a minimum of a six (6) foot step/shelf. The following considerations shall also apply:
 - i. The restriction for a vertical slope as referenced above shall not apply to mining operations.
 - ii. In the event that a rock face located adjacent to any residential or residential accessory area (such as parking) is made up of loose or unconsolidated materials, a secured retaining wall may be required.

3. NATURAL DRAINAGE SYSTEM

- A. To the extent practicable, all development shall conform to the natural contours of the land and natural and preexisting man-made drainage ways shall remain undisturbed.

- B. To the extent practicable, lot boundaries shall be made to coincide with natural and preexisting man-made drainage ways within subdivisions to avoid the creation of lots that can be built upon only by altering such drainage ways.
- C. In any area where a stream is located, no building or fill may be located within a distance of the stream bank equal to five (5) times the width of the stream at the top of the bank or 20-feet on each side, whichever is greater.

4. DEVELOPMENTS MUST DRAIN PROPERLY

- A. All developments shall be provided with a drainage system that is adequate to prevent the undue retention of surface water on the development site. Surface water shall not be regarded as unduly retained if:
 - i. The retention results from a technique, practice, or device deliberately installed as part of an approved sedimentation or storm water runoff plan; or
 - ii. The retention is not substantially different in location or degree than that experienced by the development site in its predevelopment stage, unless such retention presents a danger to health or safety.
- B. No surface water may be channeled or directed into a sanitary sewer.
- C. Whenever practicable, the drainage system of a development shall be coordinated with and connect to the drainage systems or drainage ways on surrounding properties or streets.
- D. Use of drainage swales (ditches) rather than curb and gutter and storm sewers in subdivisions is provided for in Article 1000. Private roads and access ways within unsubdivided developments shall utilize curb and gutter and storm drains to provide adequate drainage if the grade of such roads or access ways is too steep to provide drainage in another manner or if other sufficient reasons exist to require such construction.
- E. Construction specifications for drainage swales, curb and gutters, and storm drains are contained in Appendix C.

5. STORM WATER MANAGEMENT

All developments shall be constructed and maintained so that adjacent properties are not unreasonably burdened with surface waters as a result of such developments. More specifically:

- A. No development may be constructed or maintained so that such development unreasonably impedes the natural flow of water from higher adjacent properties across such development, thereby unreasonably causing substantial damage to such higher adjacent properties;
- B. No development may be constructed or maintained so that surface waters from such development are unreasonably collected and channeled onto lower adjacent properties at such locations or at such volumes as to cause substantial damage to such lower adjacent properties;
- C. To meet the standards referenced in Subsections (1) & (2), the base criteria for the design of a storm water drainage system for any development shall be that the rate or velocity of post-development storm water runoff shall not exceed the pre-development runoff rate or velocity; and
- D. Storm water on-site detention is not required in low-density, single-family residential developments where the overall density is less than one (1) dwelling unit per acre. Refer to Appendix D: Technical Plan Requirements for design criteria and submittal needs.

6. STORM WATER MANAGEMENT PLAN REQUIRED

A storm water management plan prepared and certified by a registered professional engineer, licensed in the State of Missouri, shall be required as listed below:

- A. Major Subdivision - Prior to the recording of a final plat.
- B. Multiple - Use Subdivision - Prior to the recording of a final plat.
- C. Planned Unit Development - After approval of the PUD, but before development commences.
- D. Unsubdivided Developments - After approval by the Planning Commission for a Conditional Use Permit and the Planning

Administrator for Permitted Uses, but before the development commences.

- E. Non-Residential Developments - After approval by the Planning Commission for a Conditional Use Permit and the Planning Administrator for Permitted Uses, but before any Construction Permits are issued.
- F. The Planning Commission may partially or completely waive the requirement for a certified Stormwater plan if it is determined that the development is of a minor nature as to not necessitate any Stormwater facilities. Such a waiver does not remove the responsibility from the developer from meeting the standards of this Code.
- G. Storm water on-site detention is not required in low-density single-family residential developments where the overall density is less than one (1) dwelling unit per acre.

7. STORMWATER FACILITY MAINTENANCE

- A. Storm drainage facilities that have not been dedicated and accepted by a public entity shall be maintained by the owner or owners of the land on which they are located. Storm water detention facilities that serve more than one (1) lot or tract shall be maintained by the owners of the lots or tracts served.
- B. Failure to adequately maintain a storm drainage facility is hereby declared a violation.
- C. In the event that the violation is determined to be a public safety issue, the County has the right, but not the requirement, to correct the violation. The cost of such abatement may be billed to the owner or owners identified in the Violation by means of a special tax bill against the property or properties involved. The tax bill shall be collected in the same manner as any other special tax bill and shall be a lien in the property until paid.

8. BUFFERS – LANDSCAPING – OPEN SPACE

All high intensity developments (R-3, B-2, B-3, & I-1) and all applicable Planned Unit Developments (those with land-uses similar to the above zoning districts) shall comply with the provisions of Appendix J dealing with required Buffers, Landscaping, and Open Space.

See also Appendix D.

SECTION 505 – SPECIAL-USE PERMIT

1. An application for Special-Use Permit shall be submitted to the Board of Adjustment by filing a copy of the application and required submittals with the Administrator in the Planning Department during normal business hours a minimum of one month prior to the public hearing when the case will be heard.
2. The Special-Use Permit is intended to provide a public hearing review process for land-uses that are generally allowed in any zoning district, but which may have certain aspects that indicate a semi-judicial review is appropriate. The following is not to be considered an inclusive list of such land-uses:
 - a. Temporary Asphalt or Concrete Plant;
 - b. Religious facilities beyond the normally acknowledge activities of such an institution (functions that will generate high volumes of traffic on a daily basis like a school or multi-purpose center);
 - c. Reoccurring special events such as a festival or trade show in the same location for multiple years; and
 - d. Other uses as designated by the Planning Administrator.
3. The Board of Adjustment, upon review and consideration of an application for a Special Use Permit, may issue such a permit with any conditions it deems appropriate. The Board of Adjustment may reject an application on the following grounds:
 - a. The application is incomplete;
 - b. The proposed development, construction, or use will endanger the public health, safety, or welfare;
 - c. The proposed development, construction, or use will substantially harm or decrease the value of the adjoining or surrounding property; or
 - d. The proposed development, construction, or use will not be in harmony with the area in which it is located or will not be in general conformity with and will not promote the Master Plan.
4. Even if the Board of Adjustment feels that the application complies with all other provisions of this regulation, it may still deny the permit if it

concludes, based upon information submitted at the hearing, that if completed, the development, more probably than not:

- a. Will materially endanger the public health or safety;
 - b. Will substantially injure the value of adjoining or abutting property;
or
 - c. Will not be in harmony with the area in which it is to be located or will not be in general conformity with the Master Plan or any other plan adopted by the County Commission.
5. The burden of presenting a complete application to the Board of Adjustment shall be upon the applicant. However, if the application is rejected as incomplete, it is incumbent on the Board of Adjustment to fully explain in what way the application is incomplete and provide the applicant written notice.
 6. The burden of presenting evidence and of persuading the Board of Adjustment that the development, if completed as proposed, will comply with the requirements of this regulation shall fully and completely fall upon the applicant or his representatives.
 7. The Board of Adjustment may, by general rule applicable to all cases, any class of cases, or on a case-by-case basis, refer applications to the Planning Commission to obtain its recommendation.

SECTION 506 – CONDITIONAL-USE PERMITS

1. An application for Conditional-Use Permit shall be submitted to the Planning Commission by filing a copy of the application and required submittals with the Planning Administrator during normal business hours a minimum of one (1) month prior to the public hearing when the case will be heard.
2. The Conditional-Use Permit is intended to provide a public hearing review process for land-uses that are conditionally allowed in a particular zoning district, but which potentially have certain aspects that indicate that thorough review is appropriate. Each zoning district has a listing of the possible Conditional Use Permits allowed therein. See Article 900.
3. Subject to Subsection 4, the Planning Commission shall issue the requested permit with appropriate conditions unless it concludes, based on the information submitted at the hearing, that:
 - a. The requested permit is not within its jurisdiction to decide upon;

- b. The application is incomplete; or
 - c. If the development is completed as proposed, it will not comply with one or more requirements of the Unified Land-Use Code that the Planning Commission is unwilling to vary.
4. Even if the Planning Commission feels that the application complies with all other provisions of this regulation, the Planning Commission may still deny the Conditional Use Permit if it concludes, based upon information submitted at the hearing, that if completed, the development, more probably than not:
- a. Will materially endanger the public health and/or safety:
 - i. The impact of projected vehicular traffic volumes and site access will be detrimental to the surrounding traffic flow, pedestrian safety, and accessibility of emergency vehicles and equipment.
 - ii. The proposed use will significantly increase demands on fire and law enforcement services in excess of the individual demands of adjacent land users and may present a real or potential fire or public safety hazard.
 - iii. The increase of transit movements from vehicular traffic on abutting and area minor streets generated directly or indirectly by the use will cause significant impact to nearby land-uses.

NOTE: Developments that involve the equivalent of 50 or more dwelling units or are expected to generate traffic of 500 or more car trips per day or have some other anticipated traffic issue should consider submitting a Traffic Impact Study to provide guidance on these issues. Such study may also be required.

- b. Will substantially injure the value of adjoining or abutting property:
 - i. The proposed use will adversely affect the neighborhood in terms of Stormwater runoff and the generation of nuisance factors such as noise, glare, heat, dust, lighting, odors, and vibrations.
 - ii. The frequency and duration of various indoor and outdoor activities proposed will have a deleterious impact on the surrounding area.

- iii. Appropriate measures have not been taken to screen or buffer dissimilar land-uses to mitigate adverse impacts.
- c. Will not be in harmony with the area in which it is to be located:
 - i. The proposed use is not compatible with surrounding uses and with the surrounding neighborhood.
 - ii. The proposed use does not exhibit compatibility with the existing zoning of adjacent and surrounding properties.
 - iii. The use does not comply with the standards of the Unified Land-Use Code and good planning practices.
 - iv. The comparative density in relation to adjacent uses on surrounding properties and in the surrounding neighborhood is not appropriate.
- d. Will not be in general conformity with the Master Plan or any other plan adopted by the County Commission.
- e. Where a proposed use has the potential for adverse impacts, sufficient measures have not been taken by the applicant that would negate, to an acceptable level, such potentially adverse impacts.

Note: The above factors (a) – (e) are used as guidelines for the Planning Commission to interpret and use as appropriate and are not considered to be comprehensive. It is possible that other issues can and will be considered by the Planning Commission.

- 5. The burden of presenting a complete application to the Planning Commission shall be upon the applicant. However, if the application is rejected as incomplete, it is incumbent on the Planning Commission to fully explain in what way the application is incomplete and provide the applicant written notice.
- 6. The burden of presenting evidence and of persuading the Planning Commission that the development, if completed as proposed, will comply with the requirements of this regulation shall fully and completely fall upon the applicant or the applicant's representatives.

SECTION 507 – TEMPORARY USE PERMITS

1. **Medical Hardship** – A medical hardship to allow a temporary manufactured home to be placed on a property in conjunction with an existing residential structure is possible if the following conditions are met:
 - a. A notarized affidavit signed by an attending medical doctor on original letterhead briefly describing the medical issues of the patient and including a recommendation that immediate and constant care is necessary;
 - b. The property on which the temporary manufactured home is to be placed meets the minimum standards to support an on-site wastewater system separate from the existing dwelling and wastewater system; and
 - c. The property is not part of a subdivision with rules or covenants that preclude two (2) dwellings on one property.

A medical hardship permit has a one-year sunset with the ability to be extended indefinitely in additional one-year increments based on a new affidavit by a medical doctor being submitted each year along with a written request for extension. Once the hardship no longer exists, the temporary manufactured home shall be removed in a timely fashion not to exceed 60-days after the permit ends.

2. **Temporary Asphalt or Concrete Plants** – To support a state or county road projects or other public infrastructure project it is possible to grant a temporary permit for either an Asphalt Plant or a Concrete Plant. The permit can only be issued based on certification by either MoDOT or the County Commission that such facility is needed. The permit shall address the following concerns:
 - a. The location of the temporary facility must not be within 600 feet of a residential dwelling.
 - b. Ingress and egress for truck traffics must be approved by either the County Highway Department or by MoDOT (for State Highways).
 - c. The permit will be for the length of the contract not to exceed one-year at a time. Extensions will be addressed on a case-by-case basis.
 - d. After the facility is no longer needed and is removed, the subject property must be cleared of all visible signs that the plant existed. If the property owner has contracted to retain any clean fill resulting

from the plant operations, it must be clearly specified in the permit what is to be done with the fill and when.

3. **Second Dwelling Agreement** – An agreement to authorize the placement of temporary residence to be occupied pending the construction, repair, or renovation of the permanent residential building on a lot or tract may be issued as a zoning permit. The following provisions apply:
 - a. A Second Dwelling Agreement shall expire twelve months (12) months after the date of issuance, except that the Planning Administrator may renew such permit for an additional period not to exceed six (6) months if he determines that such renewal is necessary to complete the construction, repair, renovation, or restoration necessary to make the permanent residential structure habitable.
 - b. The applicant must certify that within sixty (60) days after the completion of the permanent residence the temporary residence shall be completely removed from the site.
 - c. The temporary residence must be provided with appropriate wastewater service during the period of time it is occupied.

SECTION 508– COMPLETING DEVELOPMENTS IN PHASES

1. A development may be constructed in portions or phases in accordance with this Code. The phasing plan must be included at the time of the permit approval and all phases must comply with the conditions of approval and the provisions herein.
2. If a development that is to be built in phases includes improvements that are designed to relate to, benefit, or be used by the entire development (such as a swimming pool or Stormwater improvements) then, as a part of the application for development approval, the developer shall submit a proposed schedule for completion of such improvements. Once the schedule has been approved and made a part of the permit, no land may be used, no buildings may be occupied, and no subdivision lots may be sold except in accordance with the schedule. If such common and public improvements are not covered within the phasing plan, they shall be completed in the first phase.

SECTION 509 – EXPIRATION OF PERMITS

1. Special-Use Permits and Conditional-Use Permits shall expire automatically within one-year after the issuance of the permit if:

- a. The use authorized by such permits has not commenced, in circumstances where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use; or
 - b. Less than 10 percent of the total cost of all construction, erection, alteration, excavation, demolition, or similar work on any development authorized by such permits has been completed on site. With respect to phased developments this applies to the first phase only.
2. If, after some physical alteration of the land or structures begins to take place, such work is discontinued for a period of one-year, then the permit shall expire.
3. The Planning Administrator may extend the permit for a period of up to one-year when a permit would normally expire if it is concluded that (i) the recipient has proceeded with due diligence and in good faith, (ii) conditions have not changed so substantially as to warrant a new application, and (iii) no violations of the provisions of this regulation exist. Successive extensions may be granted based on the same findings.
4. A development is considered to be in an approved state based on the affirmative vote by the Planning Commission or the Board of Adjustment. Based on that approved status, the Planning Administrator shall be responsible for the issuance of all required permits. The Planning Administrator is required to provide timely notice of permit approval or denial to the applicant.

SECTION 510 – SUCCESSORS AND ASSIGNS

Permits authorize the permittee to make use of land and structures in a particular way. Most permits are transferable subject to the following conditions:

1. No person may make use of the land or structures except in full accordance with the terms and requirements of that permit.
2. The terms, conditions, and requirements of the permit shall apply to and restrict the use of land and structures not only with respect to all persons or entities that own any interest in the development, but to any successors or assigns that may acquire interest in the development over time. This shall apply to all phases of the development.

SECTION 511 – AMENDMENTS AND MODIFICATIONS OF PERMITS

1. Insignificant deviations from the permits issued by the Board of Adjustment, Planning Commission, and Administrator are permissible, and the Administrator may authorize such insignificant deviations. A deviation is insignificant if it has no discernable impact on the neighboring properties, the general public, or those intended to occupy or use the proposed development.
2. Minor design modifications or changes in permits are permitted with the approval of the permit issuing authority. Such permission may be gained without formal application, public hearing, or payment of additional fees. Minor design modifications are those that have no substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.
3. All other requests for changes in approved plans will be processed as new applications. In the process of acting on the new applications, the permitting authority may assess additional conditions, but the applicant retains the right to reject the additional conditions by withdrawing the requested changes and proceeding with the original approval.
4. The Planning Administrator shall determine which category the proposed modifications fall into.
5. Approval of all changes must be given in writing to the applicant in a timely manner.

SECTION 512 - RECONSIDERATION OF BOARD ACTION

1. Whenever the Board of Adjustment or Planning Commission disapproves a permit request for any other reason than an incomplete application, such action may not be reconsidered by the respective body at a later time unless the applicant can clearly demonstrate that:
 - a. Circumstances affecting the property that is the subject of the application have substantially changed; or
 - b. New information is available that could not with reasonable diligence have been presented at the previous hearing. A request to be reheard on this basis must be submitted to the Planning Administrator within 90-days of the date of the denial. Such a request does not extend the period within which an Appeal must be taken.

2. Notwithstanding subsection (1), the Planning Commission and the Board of Adjustment may at any time reconsider a new application affecting the same property as an application previously denied. A new application is one that significantly differs in a substantial manner from the one previously considered.

SECTION 513 – DEVELOPMENT EXEMPT FROM PERMIT REQUIREMENTS

The following activities or uses shall be exempt from any permit or plan review process, however such uses or activities remain fully subject to all other provisions in the Unified Land-Use Code:

1. Public Projects – The construction of any public street or other public way, grounds, building, structures, or public utility, by a governmental agency. This includes publicly owned utility services as have been authorized or ordered by the public service commission.
2. Underground mining where the entrance is through existing shaft or shafts or through a shaft or shafts not located within the area shown within a floodway, floodway fringe, or flood hazard area.
3. Maintenance activities involving any structure or land area.
4. Agricultural – The use or intended use of land, with or without accessory structures, for the purpose of agriculture. See RSMo. Section 137.016.1; Article 900.

Note: the land must meet the following statutory definition of agricultural: "Agricultural and horticultural property", all real property used for agricultural purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding and management of livestock which shall include breeding, showing, and boarding of horses; to dairying, or to any other combination thereof; and buildings and structures customarily associated with farming, agricultural, and horticultural uses. Agricultural and horticultural property shall also include land devoted to and qualifying for payments or other compensation under a soil conservation or agricultural assistance program under an agreement with an agency of the federal government. Agricultural and horticultural property shall further include land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the National Plan of Integrated Airports System, to receive federal airport improvement project funds through the Federal Aviation Administration. Real property classified as forest croplands shall not be agricultural or horticultural property so long as it is classified as forest croplands and shall be taxed in accordance with the laws enacted to implement Section 7 of Article X of the Missouri Constitution. Agricultural and horticultural property shall also

include any sawmill or planing mill defined in the U.S. Department of Labor's Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number 2421. RSMo. Section 137.016.1(2).

5. Emergency sediment & control facilities – Any grading, cutting, filling, and other land disturbance activities carried out in response to an on-going or past storm event to mediate the effects of sediment and erosion.

SECTIONS 514 THROUGH 517 RESERVED

ARTICLE 600: APPEALS, VARIANCES, AND ZONING MAP INTERPRETATION

SECTION 601 – APPEALS

1. An appeal from any final order or decision of the Planning Administrator may be taken to the Board of Adjustment by any person aggrieved. An appeal is taken by filing with the Planning Administrator and Board of Adjustment a written notice of appeal specifying the grounds thereof. This can be achieved by using the forms provided for this purpose from the Planning Department. When the appeal is submitted, it must at a minimum include such information as will clearly identify the issue, the property involved, and the applicant, including contact information. The Administrator shall accept the application and date it. Any required fees shall be collected at the time of application submittal.
2. An appeal of any final order or decision of the Planning Commission may be taken to the Board of Adjustment by any person aggrieved, except as set forth in RSMo. Section 64.590. The application procedures are the same as subsection (1) above.
3. An appeal from the Planning Administrator's final order or decision must be taken to the Board of Adjustment within 30-days of the date of the decision or order being appealed from. Application forms for such an appeal are available in the Planning & Zoning Office.
4. An appeal from the Planning Commission's final order or decision must be taken to the Board of Adjustment within 60-days of the date of the decision or order being appealed from. Application forms for such an appeal are available in the Planning & Zoning Office.
5. Whenever an appeal is filed, a date for a public hearing will be established at the next convenient time for the Board of Adjustment. Applications are required a minimum of thirty (30) days prior to the next regularly scheduled public hearing for the Board of Adjustment. Public notices will be provided in accordance with Article 300, Section 308. All materials in addition to the required application to be submitted for review shall be submitted to the Planning Department a minimum of 10 calendar-days prior to the public hearing.
6. An appeal stays all actions by the Planning Administrator seeking enforcement of, or compliance with, the order or decision he or she made pursuant to Section 315(1)-(7) that was appealed, unless the Planning Administrator certifies to the Board of Adjustment that (because of the facts stated in the certification) a stay would, in his or her opinion, cause imminent peril to life or property. In that case, proceedings shall not be

stayed except by an order by the Board of Adjustment or a court, issued on the application of the party seeking the stay.

7. The Board of Adjustment may reverse, affirm (wholly or partly), or modify the order, requirement, decision, or determination appealed from and shall make any order, requirement, decision, or determination that in its opinion ought to be made in the case before it. To this end, the board shall have all the powers of the officer or entity from whom the appeal is taken.
8. When an appeal has been granted, the Planning Administrator shall prepare a Record of Decision that will detail the appeal, approval, and any circumstances of approval. The Record of Decision will be signed by the Chairman of the Board of Adjustment and the Administrator; a copy of the Record of Decision shall be sent to the applicant in a timely manner.

SECTION 602 – VARIANCES

1. An application for variance shall be submitted to the Board of Adjustment by filing a copy of the appropriate application with required submittals to the Administrator in the Planning Department. Applications will be handled in the same manner as applications for a Special-Use Permit in conformity with the provisions of Article 500.
2. The Board of Adjustment may grant a variance if it finds that:
 - a. if the applicant complies strictly with the provisions of this Code, he cannot make reasonable use of his property; and
 - b. the hardship is: (i) specific to the applicant's land; (ii) not a result of personal circumstances or the applicant's own actions; (iii) not generally applicable to nearby property; and (iv) essentially unique in nature.
3. In granting variances, the Board of Adjustment may impose such reasonable conditions as will ensure that the use of the property to which the variance applies will be as compatible as practicable with the surrounding properties.
4. A variance may be issued for an indefinite duration or for a specified duration only.
5. When a variance has been granted, the Planning Administrator shall prepare a Record of Decision that will detail the approval and any conditions of approval. The Record of Decision will be signed by the Chairman of the Board of Adjustment and the Planning Administrator. A copy of the same shall be sent to the applicant in a timely manner. The

variance as granted and all conditions of approval shall be enforceable in the same manner as any other applicable regulation herein.

SECTION 603 – INTERPRETATION OF THE ZONING MAP

1. The Board of Adjustment is authorized to interpret the zoning map and to pass upon disputed questions of lot lines or district boundary lines and similar questions. If such questions arise in the context of an appeal from a decision of the Planning Administrator, they shall be handled as provided in Section 601.
2. The Board of Adjustment shall follow the boundary guidelines from Section 604 when making a boundary interpretation.
3. An application for zoning map interpretation by the Board of Adjustment shall be submitted in the same manner as a variance from Section 602.

SECTION 604 – BOUNDARY INTERPRETATION GUIDELINES

1. When a property owner wishes to have a single parcel of property divided into multiple zoning classifications and the desired division does not correspond to a section line, or any other previously recognized legal division, it shall be the responsibility of the property owner to establish the legally defined boundary between the various segments of the parcel by legal description.
2. Where boundaries are defined by lot lines, which are recorded with the Camden County Recorder of Deeds, said lot lines shall be construed to be the true boundary.
3. Where boundaries are defined by road rights-of-way, the boundary between two zoning classifications or districts shall be the centerline of the right of way.
4. Where boundaries are defined by the Lake of the Ozarks, the classification and/or use prescribed for the parcels of land adjoining the lake shall continue into the lake following lot lines extended to the 645-foot elevation, or the center line of the cove, whichever comes first.
5. Where a project is astride a boundary of the zoned area of the County, the entire project shall be considered as being within the Camden County Planning and Zoning district, and shall therefore be required to meet all requirements as set forth in this Code.
6. Where parcels of ground as legally defined by the Camden County Recorder of Deeds cross section lines, the Board of Adjustment may

designate the property in one section as having a different zoning designation than the property in another section. Where boundaries are so located that they follow lot lines, such lot lines shall be construed to be the boundaries.

7. In cases where legal definitions of property boundaries have been lost or destroyed, it shall be the responsibility of the titleholder, or their designated agent, to have a certified survey executed and the record of said survey filed with the Camden County Recorder of Deeds.

ARTICLE 700: ENFORCEMENT AND REVIEW

SECTION 701 – GENERAL PROVISIONS AND COMPLAINTS

A violation of this Code, and/or RSMo. Sections 64.510 to 64.690, shall subject the violator(s) to an investigation by the Planning Office and may lead to civil penalties, criminal penalties, or both, depending on the severity and circumstances of the violation. See RSMo. Section 64.690.

Whenever the Administrator receives a written, signed, and notarized, complaint alleging a violation of this Code, he or she shall investigate the complaint, take whatever action is warranted, and inform the complainant in writing what actions have been or will be taken.

SECTION 702 – PERSONS LIABLE

The owner, tenant, or occupant, of any building or land or part thereof and any architect, builder, contractor, agent, or other person who participates in, assists, directs, creates, or maintains any situation that is contrary to the requirements of the Unified Land-Use Code may be held responsible for the violation and suffer the penalties and be subject to the remedies herein provided.

SECTION 703 – PURPOSE AND INTENT FOR COMPLIANCE

It is the express intention of the enforcement procedures herein to ensure all persons who may be liable comply with applicable Missouri statutes and the provisions and regulations contained within this Code. To ensure such compliance, Camden County shall pursue the criminal and civil actions allowed pursuant to Missouri law to the extent such actions are necessary. See Section 705.

SECTION 704 – PROCEDURES UPON DISCOVERY OF VIOLATION

1. If the Administrator finds that any provision of the Code is being violated, he or she shall send a written notice to the person or entity responsible for the violation. This written notice will indicate the nature of the violation and order the action necessary to correct it as well as the time frame for making the correction. Additional written notices may be sent at the Planning Administrator's discretion but are not required. See RSMo. Section 64.690.4.
2. The Planning Administrator shall determine, in his or her sole discretion, the time frame in which a violation must be corrected by the violating party, but in no instance shall the initial correction period be more than thirty (30) days. The Planning Administrator may extend the correction period if the Planning Administrator, determines that the violating party

has made and continues to make a good-faith effort to cure or otherwise correct the violation.

3. The final written notice of a violation (and the initial written notice may be the final notice) shall state what action the Planning Administrator intends to take if the violation is not corrected and shall advise that the decision may be appealed to the Board of Adjustment.
4. Notwithstanding the foregoing, in cases when the delay would seriously threaten the effective enforcement of this Code or pose a danger to the public health, safety, or welfare, the Planning Administrator may seek enforcement without prior written notice by invoking the penalties and/or remedies authorized in Article 700.

SECTION 705 – PENALTIES AND REMEDIES FOR VIOLATIONS

1. In the event a violation exists for a property under an active permit of any kind (Construction, Zoning, Special-Use, Conditional-Use, etc.), the Planning Administrator may suspend the permit, temporarily making that permit inactive. No work of any kind other than to correct the violation, or with the express permission of the Planning Administrator, may progress in the fulfillment of a permit that has been suspended. The permit will remain suspended until the Planning Administrator has verified that all corrective measures to remove or cure the violation have taken place. See RSMo. Sections 64.510 to 64.690.
2. To gain compliance with the Unified Land-Use Code the Planning Administrator may refer the violation to the county prosecutor for potential criminal investigation and prosecution, and/or may refer the violation to the county's attorney(s) for a potential civil action. The filing of a civil action, such as an injunction, will take place only if so authorized by the County Commission.
3. Violations of this Code, and/or failure to comply with any of these requirements, including violations of any conditions established in connection with grants of zoning designations, variances, or permits, may constitute a Class A Misdemeanor, punishable by a fine of up to \$1,000.00, or a maximum of one-year imprisonment, or both, under Missouri law. A criminal case is filed against violator(s) through the County Prosecutor's office. See RSMo. Section 64.690.
4. The Planning Administrator may invoke any one or all of the foregoing penalties and remedies to enforce this Code.

SECTION 706 – PERMIT SUSPENSION OR REVOCATION

1. A Construction, Zoning, Special-Use, or Conditional-Use Permit may be suspended or revoked by the Planning Administrator if the permit recipient fails to develop or maintain the property in accordance with the plans submitted, the requirements of this Code, or any additional requirements lawfully imposed by the permit issuing entity.
2. Before a Special-Use Permit or Conditional-Use Permit can be suspended or revoked, the permit recipient must be informed in writing of the alleged grounds for suspension or revocation and informed that the decision or order can be appealed to the Board of Adjustment. Once revoked, the permit recipient may re-submit an application for the permit following the original procedure and undergoing the same process that was followed as a new request.
3. No person may continue to make use of land or buildings in the manner authorized by any permit after such permit has been suspended or revoked.
4. Variances, zoning map changes, and amendments to this Code cannot be revoked in the same manner as a permit.

ARTICLE 800: NONCONFORMING USES

SECTION 801 – DEFINITIONS

The words and phrases used in this section shall have the meaning indicated below:

- a. **Dimensional Nonconformity:** a nonconforming situation that occurs when the height, size, or minimum floor space of a structure, or the relationship between an existing building or buildings and other buildings or lot lines, does not conform to the regulations applicable to the district in which the property is located.
- b. **Effective date of this Code:** whenever this Article refers to the effective date of this Code, the reference shall be deemed to include the effective date of any amendments to this Code if the amendment, rather than this Code as originally adopted, creates a nonconforming situation.
- c. **Expenditure:** a sum of money paid out in return for some benefit or to fulfill some obligation. The term also includes binding contractual commitments to make future expenditures, as well as any other substantial change(s) in position (note: the allowed expenditure for restoration or repairs of nonconforming property caps the total amount that may be spent; a person may not avoid this cap by doing restoration and/or repairs incrementally).
- d. **Nonconforming Lot:** a lot existing at the effective date of this Code (and not created for the purposes of evading the restrictions of this Code) that does not meet the minimum area requirement of the district in which the lot is located, except that such a lot created pursuant to a provision of this or any prior Code allowing the creation of lots smaller than normal minimums shall not constitute a nonconforming lot.
- e. **Nonconforming Project:** any structure, development, or undertaking that is incomplete on the effective date of this Code and would be inconsistent with any regulation applicable to the district in which it is located if completed as proposed or planned.
- f. **Nonconforming Situation:** an existing lot or structure or use of an existing lot or structure that, on the effective date of this code, does not conform to one or more of the regulations applicable to the district in which the lot or structure is located. For example, a nonconforming situation may arise because a lot does not meet minimum acreage requirements, because structures exceed maximum height limitations, because the relationship between existing buildings and the land (in such matters as density and setback requirements) is not in conformity with this Code, or

because land or buildings are used for purposes made unlawful by this Code).

- g. **Nonconforming Structure:** any structure which does not conform to the regulation of structures for this Code for the district in which it is located either at the effective date of this Code or as a result of subsequent amendments which may be incorporated into this Code, but was either conforming or not subject to regulation previously.
- h. **Nonconforming Use:** occurs when property is used for a purpose or in a manner made unlawful by the use regulations applicable to the district in which the property is located (for example, a commercial office building in a residential district may be a nonconforming use); the term also includes the activity that constitutes the use made of the property (for example, all the activity associated with running a bakery in a residentially zoned area is a nonconforming use).

SECTION 802 - CONTINUATION OF NONCONFORMING SITUATIONS AND COMPLETION OF NONCONFORMING PROJECTS

- 1. Unless otherwise specifically provided in this Code, and subject to the restrictions set forth in this Article, nonconforming situations that were otherwise lawful on the effective date of this Code may be continued.
- 2. Nonconforming projects may be completed only in accordance with the provisions in this Article.

SECTION 803 - NONCONFORMING LOTS

- 1. This section applies only to undeveloped nonconforming lots. A lot is undeveloped if it has no substantial structures upon it. A change in use of a developed nonconforming lot may be accomplished only in accordance with this Article.
- 2. When a nonconforming lot can be used in conformity with all of the regulations (other than the area and width requirements) applicable to the district in which the lot is located, then the lot may be used as proposed. However, no use that requires a greater lot size than the established minimum lot size for a particular zone is permissible on a nonconforming lot. Administrative approval is required before construction may begin.
- 3. When the use proposed for a nonconforming lot is one that is conforming in all respects except that the applicable setback requirements cannot reasonably be complied with, then the entity authorized by this Code to issue a permit for the proposed use (the Administrator or Board of Adjustment) may allow deviations from the applicable setback requirements if it finds that:

- a. The property cannot reasonably be developed for the use proposed without such deviations;
 - b. These deviations are necessitated by the size or shape of the nonconforming lot; and
 - c. The property can be developed as proposed without any significantly adverse impact on surrounding properties or the public health or safety.
4. For purposes of Subsection (3), compliance with applicable building setback requirements is not reasonably possible if a building that serves the minimal needs of the use proposed for the nonconforming lot cannot practicably be constructed and located on the lot in conformity with such setback requirements. However, mere financial hardship does not constitute grounds for finding that compliance is not reasonably possible.
5. Any plat, subdivision, development, or Planned Unit Development that has received at least sketch plan approval from the Planning Commission on the effective date of this Code, or after the adoption of applicable amendments to this Code, shall be subject to the requirements of this Code. This provision shall not apply to the portions of those plats, subdivisions, developments, or Planned Unit Developments reserved as future development sites (where no lot lines are shown), if such sites were established prior to the adoption of this Code.
6. Development of lots within existing subdivisions, developments, and Planned Unit Developments shall adhere to the provisions of this Code to the greatest extent possible.
7. In areas where multi-family housing was designated, but no building layout was shown, the density as indicated on the most recently approved plat shall be allowed, provided the developer meets the provisions of this Code to the greatest extent possible.

SECTION 804 - NONCONFORMING USES OR BUILDINGS

1. Unless required by law or order, no existing building, structure, or premises that is nonconforming, or is devoted to a use that is nonconforming and/or not permitted by the zoning regulations applicable to the zoning district in which such building, structure, or premises is located, shall be enlarged, extended, reconstructed, substituted, or structurally altered, unless the use thereof is changed to a use permitted in the zoning district in which such building or premises is located, and except as follows:

- a. Substitution or Extension. When authorized by the Planning Commission, the substitution of a non-conforming use for another non-conforming use, or the extension of a non-conforming use may be made.
- b. Whenever a non-conforming use has been changed to a conforming use, such use shall not thereafter be changed back to a non-conforming use.
- c. Where at the effective date of the adoption of this Code or amendments hereto, a lot of record exists and is held in separate ownership but fails to meet the minimum requirements for area or width of the zoning district in which it is located, such lot may have one (1) single family dwelling and customary accessory building erected upon it provided that:
 - i. Said lot is in separate ownership and not of continuous frontage with other lots in the same ownership.
 - ii. Said lot is able to meet the yard requirements of the zoning district in which it is located. A variance is obtainable through approval by the Board of Adjustment.
- d. When authorized by the Planning Commission, the extension or completion of a building devoted to a nonconforming use upon a lot occupied by such building, or on a lot adjoining, providing that such lot was under the same ownership as the lot in question on the date the use of such building became nonconforming, and where such extension is necessary and incidental to the existing use of such building.
- e. When authorized by the Planning Commission, a nonconforming use may be extended throughout those parts of a building designed or arranged for such use before the date it became nonconforming, if no structural alterations except those required by law are made therein.
- f. Discontinuance. No building, structure, or premises where a nonconforming use has ceased for one (1) year or more shall again be put to a nonconforming use. Whenever the Administrator has knowledge that a property has not been used in a nonconforming manner for a period of one year, the Administrator shall notify the owner and user of the nonconforming use building that if they would like the opportunity to continue the nonconforming use then they must show cause to do so to the Planning Commission at the next appropriate meeting of the Planning Commission. The Planning

Commission shall then, upon review, make a recommendation to the County Commission whether to retain the nonconforming use, or to re-zone as appropriate if needed.

- g. **Replacing Damaged Buildings.** Any nonconforming building or structure damaged more than fifty percent (50%) of its then fair market value, exclusive of the foundation(s), at the time of the damage, including damage by fire, flood, explosion, wind, earthquake, war, riot, or other calamity, or Act of God, shall not be restored or reconstructed and used as before such happening. If such damage is less than fifty percent (50%) of its then fair market value, exclusive of the foundation(s), then it may be restored, reconstructed, or used as before, provided that it be done within twelve (12) months of such happening; provided that such damage is not done willfully or intentionally by any person with financial gain. This provision is subject to, and must remain in compliance with, the Camden County Floodplain Ordinance.
- h. **Repairs and Alterations.** Such repairs and maintenance work as required to maintain sound condition may be made to a non-conforming building or structure, provided no structural alterations shall be made, except such as are required by law, and/or authorized by the Administrator, the Planning Commission, and/or the Board of Adjustment as appropriate.

ARTICLE 900: ZONING DISTRICTS AND ZONING MAP

SECTION 901 – ZONING DISTRICTS

The Camden County Lake District Planning and Zoning Area is hereby divided into regions or districts in accordance with the authority granted by RSMo. Section 64.620 that regulate and restrict, by adoption of the Unified Land-Use Code, in the unincorporated portions of the county, the height, number or stories, and size of buildings, the percentage of lots that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land for trade, industry, residence or other purposes, including area for agriculture, forestry, and recreation.

Based on RSMo Section 64.630 these districts may be of such number, shape and area as may be deemed best suited to carry out the purpose of RSMo. Sections 64.510 to 64.690 RSMo and shall be shown upon the county's zoning plan. Within these districts the erection, construction, reconstruction, alteration, repair, relocation, or maintenance of buildings or structures and the use of land and lots may be regulated and restricted.

The following zoning districts are established:

A-1	Agricultural
A-R	Agricultural - Residential
P-1	Parks and Reserves
P-2	Commercial Parks
R-1	Low Density Residential
R-2	Medium Density Residential
R-3	High Density Residential
R-4	Manufactured Home Parks
B-1	Offices & Neighborhood Commercial
B-2	General Commercial
B-3	Shopping District Commercial
I-1	Industrial
PUD	Planned Unit Development

SECTION 902 – Unzoned Areas

1. **Unzoned Areas** –unzoned property, regardless of its location or owner, shall be subject to all applicable regulations in this Code.

- a. **Procedure for Zoning an Unzoned Area:** the procedure for zoning unzoned property shall match the procedure for rezoning a previously zoned area, including all notice and hearing requirements mandated under this Code and Missouri law.
- b. **Authority to Zone an Unzoned Area:** the Planning Commission may – on its own authority or at the request of an applicant - make a zoning recommendation regarding unzoned property to the Camden County Commission; the Camden County Commission shall then make the final zoning decision for the unzoned property. Both the decision of the Planning Commission and the decision of the Camden County Commission are subject to the same hearing and notice requirements as for a rezoning, as stated above.

SECTION 903 - EXEMPTIONS AND LIMITATIONS

1. Regulations adopted pursuant to the authority granted to the Camden County Commission through RSMo. Section 64.005 and RSMo. Section 64.007 (enabling the creation of a county commission and authorizing the commission to establish a district plan and planning and zoning regulations) shall not apply to agricultural or horticultural property as defined in RSMo. Section 137.016. See Article 200 definitions; see also, RSMo. Section 137.016.
2. Building regulations and restrictions applicable to unincorporated areas (e.g., the allowable height, number of stories, size of buildings, percentage of lots that may be occupied, size of yards, etc.) shall not apply to the raising of crops, livestock, orchards, or forestry, or to seasonal or temporary impoundments used for rice farming or flood irrigation. Rice farming or flood irrigation means small berms of not more than 18 inches high placed around a field to hold water for use for growing rice or for irrigation. See RSMo. Section 64.620.
3. Such regulations and restrictions shall also not apply to the erection, maintenance, repair, alteration or extension of farm buildings or farm structures used for such purposes in an area not within the area shown on the flood hazard area map. See RSMo. Section 64.620.
4. Such regulations and restrictions shall also not apply to underground mining where the entrance is through an existing shaft or shafts or through a shaft or shafts not within the area shown on the flood hazard area map. See RSMo. Section 64.620.
5. These regulations shall not authorize interference with such public utility services as may have been or may hereafter be authorized, or ordered by

by the public service commission, or by permit of the county commission,
as the case may be.

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SECTION 904 -A-1: AGRICULTURAL

1. Purpose of District

- a. This district is intended to provide for agricultural and related uses; and
- b. To allow such residential and accessory uses for the safe and proper operation of the principal permitted uses.

2. Principal Permitted Uses

- a. Agricultural and horticultural property as defined in RSMo. Section 137.016. (This includes the raising of crops, livestock, orchards, or forestry, and seasonal or temporary impoundments used for rice farming or flood irrigation.);
- b. Apiaries, aviaries, fish hatcheries, and fur farming or the raising of fur-bearing animals;
- c. Nursery and greenhouse operations;
- d. Farm and produce on premise sales;
- e. Wineries and associated on-site sales;
- f. Hunting, fishing and propagation of wildlife;
- g. Boarding Stables and the associated riding and training activities;
- h. Home Occupations / Residential Based Businesses with up to twenty hours a week of retail sales;
- i. Single-family dwellings to include site-built homes, modular homes, Class A and Class B manufactured homes on an unsubdivided lot not to exceed two (2) dwelling units per lot and a maximum density one (1) single-family home per five (5) acres;
- j. Cemeteries;
- k. Public building or facility erected by a governmental agency;
- l. Private kennel; and
- m. Private non-commercial recreational areas.

3. **Accessory Uses**

- a. Living quarters of persons employed on the premises;
- b. Living quarters for the keeping of roomers or boarders, not for temporary periods, by a resident family, not to exceed two (2) bedrooms;
- c. A private garage, workshop, parking area, or stable;
- d. Roadside stands, offering for sale only agricultural products produced on the premises or in the vicinity;
- e. Temporary buildings for uses incidental to construction work that is incidental to a permitted use; and
- f. Any buildings or structures normally associated with the principal permitted uses.

4. **Conditional Use Permits**

- a. Schools; cultural, administrative, or public buildings;
- b. Churches and other places of worship expected to exceed 3,000 gallons of wastewater per day, including parish houses and Sunday schools, but excluding overnight shelters and temporary outdoor revivals;
- c. Temporary roadside stands for non-agricultural commercial sales;
- d. Commercial mills, oil drilling, quarries and gravel pits, temporary sawmill for cutting timber grown on the premises:
 - i. Provided that any lot or tract of land containing such use is not less than ten (10) acres in area; and
 - ii. That the location of any power-driven or power-producing machinery affixed to the real estate shall comply with distance of five hundred (500) feet from any R zoning district.
- e. Bed and Breakfast;
- f. Golf Course with clubhouse and driving range as accessory uses (Miniature golf courses are not included.);

- g. Major or Multiple-Use Subdivisions;
- h. Private commercial recreational areas;
- i. Commercial cemeteries, including mausoleums and crematories provided that the new cemetery contains an area not less than twenty (20) acres;
- j. Hospitals and sanitariums, including institutions for contagious disease, the insane, addiction disorders, and penal or correctional institutions;
- k. Airports and landing fields, subject to provisions of the Missouri State Statutes;
- l. Rifle, skeet, trap, pistol ranges, and similar uses provided that the physical layout of such uses (firing line, targets, range, etc.) shall be located a minimum of 500-feet from any R zoning district;
- m. Commercial kennels, animal hospitals, veterinary clinics, or kennels;
- n. Raising or keeping of exotic or wild animals as defined by Missouri State Statutes 578.023;
- o. Class 1A Confined Animal Feeding Operations as regulated by the Missouri Department of Natural Resources provided that:
 - i. The property that would contain the CAFO is a minimum of twenty (20) acres in area;
 - ii. The physical layout of the CAFO is a minimum of 1,000-feet from any R zoning district and a minimum of 500-feet from any existing occupied residence; and
 - iii. The application is in compliance with existing regulations such as the Camden County Confined Animal Feeding Operations Ordinance.

[NOTE: Quarries, mining, and extraction sites are principal permitted uses in Section 915 – I-1 Industrial.]
- p. Banquet halls; and
- q. Special events (e.g., weddings, fundraisers, marathons).

5. **Height, Density, and Yard Requirements**

All tracts and lots of property within an A-1 zoning district created after the effective date of these regulations:

- a. Shall have a minimum width dimension of two hundred (200) feet measured through the building area of the lot (between the front and rear setbacks) measured perpendicular to the centerline of the lot. *See RSMo. Sections 64.600 & 64.620;*
- b. The maximum height of any structure shall be fifty (50) feet above the finished grade;
- c. Lots and tracts located in the A-1 Agricultural zoning district may include the area of road rights-of-way; and
- d. Minimum yard setback requirements for structures:
 - i. Minimum front setbacks:
 - a) Fifty (50) feet from any publicly maintained roadway; and
 - b) Forty (40) feet from any privately maintained roadway.
 - ii. Minimum side corner yard setback - Thirty (30) feet;
 - iii. Minimum side yard setback - Twenty (20) feet; and
 - iv. Minimum rear yard setback - Forty (40) feet.
- e. This section shall not apply to the erection, maintenance, repair, alteration, or extension of farm buildings or farm structures used for such purposes in an area not within the area shown on the flood hazard area map. *RSMo. Section 64.620.*
- f. This section shall not apply to the raising of crops livestock, orchards, or forestry, or to seasonal or temporary impoundments used for rice farming or flood irrigation. (See definition in Section 802(2). *RSMo. Section 64.620.*
- g. This section does not authorize interference with such public utility services as may have been, or may hereafter be authorized, or ordered by the public service commission, or by permit of the county commission, as the case may be. *RSMo. Section 64.620.*

SECTION 905 - A-R: AGRICULTURAL / RESIDENTIAL

1. Purpose of District

- a. This district is intended to preserve the predominant rural character of the land while allowing certain non-agricultural uses.
- b. The district allows for low-density residential uses for areas outside the normal residential districts, which are not suited for agricultural uses.

2. Principal Permitted Uses

- a. Single-family dwellings to include site-built homes, modular homes, Class A and Class B manufactured homes;
- b. Agricultural and horticultural property as defined in Section 137.016, RSMo. and Article 200. (This includes the raising of crops, livestock, orchards, or forestry, and to seasonal or temporary impoundments used for rice farming or flood irrigation.);
- c. Private nursery and greenhouse operations;
- d. Hunting, fishing, and propagation of wildlife;
- e. Cemeteries;
- f. Public building or facility erected by a governmental agency;
- g. Private kennel;
- h. Private non-commercial recreational areas;
- i. Group homes, if the maximum residential density does not exceed a total of ten (10) persons; and
- j. Churches, schools, public buildings, structures, and properties of recreational, cultural, administrative or public service that produce less than 3000 gallons of wastewater per day and which have a minimum lot area of five (5) acres.

3. Accessory Uses

- a. Accessory uses, buildings and structures customarily incidental to the aforesaid permitted uses;

- b. Living quarters of persons employed on the premises that are not rented or otherwise used as a separate dwelling;
- c. Temporary buildings for uses that are incidental to construction work, which will be removed at the completion of or abandonment of the construction work; and
- d. Day care homes, if not more than six (6) children are kept.

4. **Conditional Use Permits**

- a. Schools; cultural, administrative, or public buildings; Churches and other places of worship expected to exceed 3000 gallons of wastewater per day, excluding overnight shelters and temporary outdoor revivals;
- b. Bed and Breakfast;
- c. Golf Course with clubhouse and driving range as accessory uses (Miniature golf courses are not included.);
- d. Major or Multiple-Use Subdivisions;
- e. Private commercial recreational areas;
- f. Commercial cemeteries, including mausoleums provided that the new cemetery contains an area not less than twenty (20) acres;
- g. Commercial kennels, animal hospitals, veterinary clinics, or kennels;
- h. Day Care Homes, if not more than ten (10) children are kept with a maximum of two (2) overlap; and
- i. Special events that are non-commercial or non-profit in nature.

5. **Height, Density, and Yard Requirements**

All tracts and lots of property within an A-R zoning district created after the effective date of these regulations:

- a. Shall have a minimum width dimension of one hundred fifty (150) feet measured through the building area of the lot (between the front and rear setbacks) measured perpendicular to the centerline of the lot. *RSMo. 64.620.*
- b. Shall have a minimum area of three (3) acres;

- c. The maximum height of any structure shall be fifty (50) feet above the finished grade;
- d. Lots and tracts located in the A-2 Agricultural / Residential zoning district may include the area of road rights-of-way; and
- e. Minimum yard setback requirements:
 - i. Minimum front setbacks:
 - a) Forty (40) feet from any publicly maintained roadway; and
 - b) Thirty (30) feet from any privately maintained roadway.
 - ii. Minimum side corner yard setback - Twenty (20) feet;
 - iii. Minimum side yard setback - Twenty (20) feet; and
 - iv. Minimum rear yard setback - Twenty (20) feet.
- f. This section shall not apply to the erection, maintenance, repair, alteration, or extension of farm buildings or farm structures used for such purposes in an area not within the area shown on the flood hazard area map. *RSMo. 64.620.*
- g. This section shall not apply to the raising of crops livestock, orchards, or forestry, or to seasonal or temporary impoundments used for rice farming or flood irrigation. (See definition in Section 802(2).) *RSMo. 64.620.*
- h. This section does not authorize interference with such public utility services as may have been, or may hereafter be authorized, or ordered by the public service commission, or by permit of the county commission, as the case may be. *RSMo. 64.620.*

SECTION 906 - P-1: PARKS AND RESERVES

1. Purpose of District

- a. This district provides for those public recreational areas that exist or may exist in the County.
- b. The district also provides for the non-structural use of environmentally sensitive areas for recreational and conservation purposes.

2. Principal Permitted Uses

- a. National, state, and local public parks and reserves, to include natural parks, public access areas, and public game areas;
- b. Those areas where floodplains, wetlands, conservation lands, and other public and private no-build areas exist or are established;
- c. Agricultural and horticultural property as defined in RSMo. Section 137.016 and Article 200. (This includes the raising of crops, livestock, orchards, or forestry, and seasonal or temporary impoundments used for rice farming or flood irrigation.); and
- d. Hunting, fishing, and propagation of wildlife.

3. Accessory Uses

- a. Accessory uses, buildings, and structures customarily incidental to the aforesaid permitted uses; and
- b. Public buildings and structures incidental to the aforesaid permitted uses.

4. Conditional Use Permits

- a. Private non-commercial recreational areas;
- b. Public and private game areas (baseball, softball, soccer, etc.) that do not involve significant impervious surface areas (gravel, clay, asphalt, or concrete);
- c. Public golf courses; and
- d. Special events.

5. **Height, Density, and Yard Requirements**

All tracts and lots of property within a P-1 zoning district created after the effective date of these regulations:

- a. Shall have a minimum area of three (3) acres. RSMo. Section 64.620;
- b. The maximum height of any structure shall be fifty (50) feet above the finished grade;
- c. At least 97% of any property within the P-1 zoning district designation must be maintained as green space;
- d. Lots and tracts located in the P-1 Parks and Reserve zoning district may include the area of road rights-of-way; and
- e. Minimum yard setback requirements:
 - i. Minimum front yard setback - Fifty (50) feet;
 - ii. Minimum side corner yard setback - Thirty (30) feet;
 - iii. Minimum side yard setback - Twenty (20) feet; and
 - iv. Minimum rear yard setback - Fifty (50) feet.
- f. This section shall not apply to the erection, maintenance, repair, alteration, or extension of farm buildings or farm structures *used for such purposes* in an area not within the area shown on the flood hazard area map. RSMo. Section 64.620.
- g. This section shall not apply to the raising of crops livestock, orchards, or forestry, or to seasonal or temporary impoundments used for rice farming or flood irrigation. (See definition in Section 802(2). RSMo. Section 64.620.
- h. This section does not authorize interference with such public utility services as may have been or may hereafter be authorized or ordered by the public service commission or by permit of the county commission, as the case may be. RSMo. Section 64.620.

SECTION 907 - P-2: COMMERCIAL PARKS

1. Purpose of District

- a. This zoning district provides for those public and private recreational uses that involve commercial applications.
- b. The district also provides for the limited structural use of environmentally sensitive areas for recreational and conservation purposes.
- c. The uses provided for in this district allow relatively high traffic and the establishment of over-night facilities.

2. Principal Permitted Uses

- a. Any use included as a principal permitted use in the P-1 zoning district;
- b. Camping facilities (church, youth, commercial) that provide the necessary water and sanitary facilities for over-night occupation, but only limited provision of/for structural sleeping facilities (cabins or recreational vehicles);
- c. Public and private golf courses (to include pro shop); and
- d. Commercial recreational facilities (e.g., wild animal parks, dude ranch) that include substantial green or open areas.

3. Accessory Uses

- a. Accessory uses, buildings, and structures customarily incidental to the aforesaid permitted uses;
- b. Public buildings and structures incidental to the aforesaid permitted uses; and
- c. Living quarters for persons employed on the premises that are not rented or otherwise used as a dwelling unit (primarily for security purposes).

4. Conditional Use Permits

- a. Recreational vehicle park. (See also Article 900, Section 913);
- b. Amusement rides and mechanical recreational facilities; and

- c. Special events.

5. **Height, Density, and Yard Requirements**

All tracts and lots of property within a P-2 zoning district created after the effective date of these regulations:

- a. Shall have a minimum area of five (5) acres. RSMo. 64.620;
- b. The maximum height of any structure shall be fifty (50) feet above the finished grade;
- c. At least 94% of any property within the P-2 zoning district designation must be maintained as green or openspace;
- d. Lots and tracts located in the P-1 Parks and Reserve zoning district may include the area of road rights-of-way; and
- e. Minimum yard setback requirements:
 - i. Minimum front yard setback - Forty (40) feet;
 - ii. Minimum side corner yard setback - Twenty (20) feet;
 - iii. Minimum side yard setback - Twenty (20) feet; and
 - iv. Minimum rear yard setback - Forty (40) feet.
- f. This section shall not apply to the erection, maintenance, repair, alteration, or extension of farm buildings or farm structures *used for such purposes* in an area not within the area shown on the flood hazard area map. RSMo. 64.620.
- g. This section shall not apply to the raising of crops livestock, orchards, or forestry, or to seasonal or temporary impoundments used for rice farming or flood irrigation. (See definition in Section 802(2). RSMo. 64.620.
- h. This section does not authorize interference with such public utility services as may have been, or may hereafter be authorized, or ordered by the public service commission, or by permit of the county commission, as the case may be. RSMo. 64.620.

SECTION 908 - R-1: LOW DENSITY RESIDENTIAL

1. Purpose of District

- a. This zoning district is intended for low-density residential development - primarily single-family dwellings.
- b. Provision is also made for such educational, recreational, and religious uses as are customarily associated with residential uses to provide the basic elements of a balanced and attractive residential area.

2. Principal Permitted Uses

- a. Single-family dwellings to include site-built homes, modular homes, and Class A manufactured homes;
- b. Zero Lot Line or Townhouse developments where each residential unit therein may be sold separately with a party wall agreement;
- c. Churches and other places of worship not expected to exceed 3,000 gallons of wastewater per day, excluding overnight shelters and temporary outdoor revivals;
- d. Educational facilities of general instruction including cultural, administrative, and/or public buildings, not expected to exceed 3,000 gallons of wastewater per day; and
- e. Residential group homes in accordance with state and federal law.

3. Accessory Uses

- a. Accessory uses, buildings, and structures customarily incidental to the aforesaid permitted uses;
- b. Neighborhood parks, swimming pools, playgrounds, recreational and community center buildings and grounds, public golf courses, tennis courts, and similar public recreational uses;
- c. Boat docks;
- d. Garages and garage workshops for private use;
- e. Gazebos and similar out-buildings;
- f. Noncommercial studios and workshops;
- g. Noncommercial nurseries, greenhouses, and gardens;

- h. Offices or studios within an enclosed building and used by an occupant of a residence located on the same lot as such residence to carry on administrative or artistic activities of a commercial nature, so long as such activities do not fall within the definition of a home occupation / residential based business;
- i. Yard sales or garage sales, so long as such sales are not conducted on the same lot for more than three (3) days (whether consecutive or not) during a 90-day period;
- j. Hobbies or recreational activities of a noncommercial nature;
- k. The renting out of one room within a single-family dwelling residence (as long as the room does not constitute a separate dwelling unit) to not more than two persons who are not part of the family that resides in the residence;
- l. Patios, decks, and similar structures;
- m. Private swimming pools and recreational facilities (basketball or tennis courts). Swimming pools may not be placed in the front setback off the road or within any side setback;
- n. The placement of an above garage or attached apartment or "mother-in-laws" apartment is allowed so long as the dwelling unit is not used for rental purposes or exceeds 600 square feet. This kind of Accessory Use may not be placed on an Accessory Lot or constructed as a detached structure;
- o. Accessory Use Lot - The establishment of a non-lake frontage lot for the sole purpose of the placement of an Accessory Use structure or land-use, under the following stipulations: and
 - i. No primary Use structure or land-use shall be allowed on an Accessory lot;
 - ii. The accessory use structure does not require a connection to any type of wastewater system;
 - iii. Front setback (off the roadway) is a minimum of 15-feet;
 - iv. Side and rear setbacks are a minimum of 7-feet;
 - v. Minimum Accessory Lot size is a minimum of 3,500 square feet;

- vi. Minimum Accessory Lot width is a minimum of 40-feet; and
- vii. An Accessory Lot must be associated with a specific residential lot where a primary land-use is allowed.
- p. Well house or other utility facility.

4. **Conditional Use Permits**

- a. Two-family dwelling unit (duplex);
- b. Cemeteries, not including mausoleums and crematories, provided that the new cemetery contains an area not less than five (5) acres;
- c. Churches and other places of worship expected to exceed 3,000 gallons of wastewater per day, including overnight shelters at a church or place of worship, and excluding temporary outdoor revivals;
- d. Educational facilities of general instruction including cultural, administrative, and/or public buildings, expected to exceed 3,000 gallons of wastewater per day;
- e. Model homes in Major Subdivisions;
- f. Day care homes, if not more than ten (10) children are kept in addition to the resident family and subject to state licensing requirements;
- g. Fraternal or private clubs (including country clubs);
- h. Bed and Breakfast;
- i. Home Occupations / Residential Based Businesses:
 - i. A Residential Based Business may involve land-uses that normally are not allowed in an R-1 zoning district as long as they are scaled to a less intensive level and/or are conditionally approved so as to be compatible to the surrounding area.
 - ii. A Residential Based Business must meet the following criteria:
 - a) No more than one (1) person other than a member of the immediate family occupying the dwelling shall be employed;

- b) Not more than 30% of the gross square footage of the dwelling can be devoted to the Residential Based Business either within the dwelling or in an accessory building;
 - c) In no way shall the premises (property or structures) be altered or the business allowed to operate in a manner that would cause the property or structures to differ from its normal residential character;
 - d) No truck traffic shall be generated by the business that would be greater in kind or intensity from a normal residential land-use;
 - e) No outdoor display of goods or outdoor storage of materials used in the Residential Based Business shall be permitted;
 - f) Only one (1) nameplate not to exceed an area of four (4) square feet may be displayed. It shall not be illuminated or otherwise physically appear as a nuisance; and
 - g) The use shall not generate noise, vibration, glare, fumes, odor, or electrical interference beyond what normally occurs in a residential area.
- iii. The business must operate from a residential structure or a residential accessory structure; construction of a structure solely for the Residential Based Business is not allowed.
- iv. The Residential Based Business cannot be located within the area of a recorded residential subdivision with the following stipulations:
- a) The term subdivision does not refer to the great lot divisions of Shawnee Bend 1-6 or Horseshoe Bend 1-9;
 - b) Subdivisions in which all lots are 3-acres or larger may be excluded from this stipulation by the Planning and Zoning Commission; and
 - c) Residential Based Businesses shall not be allowed in subdivisions that specifically preclude commercial

land-uses within legally active recorded covenants or restrictions.

- v. The Residential Based Business structure cannot be physically located within 200-feet of an existing occupied residential structure on property not owned by the applicant.
- vi. Any retail sales must meet the following stipulations:
 - a) No sales of alcohol or petroleum based fuels;
 - b) Does not involve the sale of fireworks or other explosive products; and
 - c) The retail sales portion of the Residential Based Business may not exceed 80% of the 30% allowed square footage for the business (see i(b)(ii) above).
- vii. Customer parking must be provided and clearly marked on-site.
- viii. A Residential Based Business can be approved only for an owner-occupied property.
- ix. Residential Based Businesses may not have hours of operation (open to public) that start earlier than 8:00 AM or extend past 8:00 PM of any day of the week.
- j. Special Events that are non-commercial or non-profit in nature;
- k. Lake Development Project: The Planning and Zoning Commission may issue a Conditional Use Permit to allow carefully designed single-family and/or two-family residential developments when such developments are needed due primarily to physical parameters such as topography, shoreline configuration, soil and rock conditions, and where the project acreage is not large enough to classify as a Planned Unit Development (PUD). If approved, the CUP will allow this type of development to have the following flexible provisions:
 - i. Minimum Lot size can be reduced up to 7,500 square feet for individual lots although the overall density of the development cannot exceed five (5) dwelling units per acre;
 - ii. Modifications to the required road standards may be approved; and
 - iii. Minimum setback requirements can be reduced to:

Road Setback (off the right-of-way)	= 15 feet
Side Corner Setback	= 15 feet
Side Setback	= 7.5 feet
Lake Setback	= 0 feet

5. **Height, Density, and Yard Requirements**

All tracts and lots of property within a R-1 zoning district, excluding those for utility facilities and Accessory Use lots, created after the effective date of these regulations:

- a. Shall have a minimum road frontage dimension of fifty (50) feet and a width dimension of seventy (70) feet measured through the building area of the lot in at least one location (between the front and rear setbacks) measured perpendicular to the centerline of the lot. On cul-de-sacs and curves the minimum road frontage measurement may be measured along the arc of the setback line although actual road frontage still cannot be reduced below twenty-five (25) feet;
- b. Shall have a minimum average area of three (3) acres unless served by a MDNR-approved centralized wastewater system. Then the minimum lot area allowable by the Planning Commission shall be 5,000 square feet. For purposes of Minor Plat approval, any lot that is less than two (2) acres in area must be approved by the Planning Commission;
- c. The maximum height of any non-farm structure shall be fifty (50) feet above the finished grade;
- d. The minimum size of any residential structure in the R-1 zoning district shall be 680 square feet;
- e. A maximum of 65% of the residential lot or tract shall be covered with impervious cover (roofs, parking, sidewalks, etc.), unless served by a MDNR approved centralized wastewater system;
- f. Lots and tracts located in the R-1 Low Density Residential Zoning district shall not include the area of road rights-of-way;
- g. Swimming pools are subject to all setback requirements with the limited exception of lakefront pools. Lakefront pools are not subject to lakefront setbacks; and
- h. Minimum setback requirements:

- i. Minimum front setback - Twenty-five (25) feet;
- ii. Minimum side corner setback - Fifteen (15) feet;
- iii. Minimum side setback - Ten (10) feet; and
- iv. Minimum rear setback - Fifteen (15) feet

Note: The front is generally the side of the lot that fronts a street. For corner lots, the narrowest side fronting the street is considered the front.

- i. For lakefront residential lots the lake front setback will be Zero (0) feet.

SECTION 909 - R-2: MEDIUM DENSITY RESIDENTIAL

1. Purpose of District

- a. This zoning district is intended for medium-density residential development, primarily two-family family dwelling units.
- b. Provision is also made for such educational, recreational, and religious uses as are customarily associated with residential uses to provide the basic elements of a balanced and attractive residential area.
- c. Developments that include any structure including more than a single-family dwelling is required to provide appropriate water and wastewater service to include central or public systems.

2. Principal Permitted Uses

- a. Any use included as a principal permitted use in the R-1 zoning district;
- b. Residential structures with four (4) or fewer dwelling units such as duplexes, town homes and other similar residential structures; and
- c. Bed and Breakfast.

3. Accessory Uses

- a. Any accessory use listed for the R-1 zoning district;
- b. Any accessory uses, buildings, or structures customarily incidental to the aforesaid permitted uses; and

- c. Day care home if not more than six (6) children are kept in addition to any resident children.

4. **Conditional Use Permits**

- a. Any use listed as a Conditional Use Permit under the provisions of the R-1 zoning district that have not been addressed as a Principal Permitted Use;
- b. Class B Manufactured Home;
- c. Children's day care center provided that not more than ten (10) children are kept with no more than a two (2) child overlap that meets state licensing requirements;
- d. Rest or nursing homes for convalescent patients provided that no more than 12 patients are kept; and
- e. Boarding house with no more than three (3) rooms used for boarding.

5. **Height, Density, and Yard Requirements**

All tracts and lots of property within a R-2 zoning district, excluding those for utility facilities and Accessory Use lots, created after the effective date of these regulations:

- a. Shall have a minimum road frontage dimension of fifty (50) feet and a width dimension of seventy (70) feet measured through the building area of the lot in at least one location (between the front and rear setbacks) measured perpendicular to the centerline of the lot. On cul-de-sacs and curves, the minimum road frontage measurement may be measured along the arc of the setback line although actual road frontage still cannot be reduced below 25 feet;
- b. Shall have a minimum average area of three (3) acres unless served by a MDNR-approved centralized wastewater system. If served by a MDNR-approved centralized wastewater system, then a minimum area of 5,000 square feet per dwelling unit or a minimum of 10,000 square feet for a single-family residential structure shall apply;
- c. The maximum height of any structure shall be fifty (50) feet above the finished grade;
- d. The minimum size of any residential dwelling unit in the R-2 zoning

district shall be 560 square feet;

- e. Lots and tracts located in the R-2 Medium Density Residential zoning district shall not include the area of road rights-of-way;
- f. A maximum of 75% of the residential lot or tract shall be covered with impervious cover (roofs, parking, sidewalks, etc.), unless served by a MDNR approved centralized wastewater system;
- g. Swimming pools are subject to all setback requirements with the limited exception of lakefront pools. Lakefront pools are not subject to lakefront setbacks; and
- h. Minimum setback requirements:
 - i. Minimum front setback - Twenty-five (25) feet;
 - ii. Minimum side corner setback - Fifteen (15) feet;
 - iii. Minimum side setback - Ten (10) feet; and
 - iv. Minimum rear setback - Twenty (20) feet

Note: The front is generally the side of the lot that fronts a street. For corner lots, the narrowest side fronting the street is considered the front.

- i. For lakefront lots the lakefront setback will be Zero (0) feet.

SECTION 910 - R-3: HIGH DENSITY RESIDENTIAL

1. Purpose of District

- a. This zoning district is intended for high-density residential development of primarily multi-family residential dwelling units.
- b. Provision is also made for such educational, recreational, and religious uses as are customarily associated with residential uses to provide the basic elements of a balanced and attractive residential area.
- c. Developments that include any structure including more than a single-family dwelling is required to provide appropriate water and wastewater service to include central or public systems.

2. Principal Permitted Uses

- a. Any use included as a principal permitted use in the R-2 zoning district;
- b. Residential structures with five (5) or more dwelling units such as

apartments, condominiums, time shares and other similar residential structures;

- c. Class B Manufactured Homes;
- d. Boarding schools;
- e. Institutional (hospital, nursing, rest, or convalescent homes as well as educational or religious facilities) on a site not less than five (5) acres and provided that not more than 50% of the site can be covered with impervious surfaces; and
- f. Children's day care center provided that not more than ten (10) children are kept with no more than a two (2) child overlap that meets state licensing requirements.

3. Accessory Uses

- a. Any accessory use listed for the R-2 zoning district;
- b. Any accessory uses, buildings, or structures customarily incidental to the aforesaid permitted uses;
- c. Property management or sales office;
- d. Model Unit or dwelling; and
- e. Storage parking area to serve residents.

4. Conditional Use Permits

- a. Any use listed as a Conditional Use Permit under the provisions of the R-2 zoning district that have not been addressed as a Principal Permitted Use;
- b. Children's day care center provided that not more than twenty (20) children are kept with no more than a five (5) child overlap that meets state licensing requirements; and
- c. Hotel or motel meeting the following restrictions:
 - i. Access shall be directly to a major roadway that does not directly access one or two-family residential structures;
 - ii. Development site must be a minimum of three (3) acres in area; and
 - iii. Sufficient parking and buffering from all other residential uses to mediate any adverse effects.

5. **Height, Density, and Yard Requirements**

All tracts and lots of property within an R-3 zoning district, excluding those for utility facilities and Accessory Use lots, created after the effective date of these regulations:

- a. Shall have a minimum road frontage dimension of fifty (50) feet and a width dimension of seventy (70) feet measured through the building area of the lot in at least one location (between the front and rear setbacks) measured perpendicular to the centerline of the lot. On cul-de-sacs and curves, the minimum road frontage measurement may be measured along the arc of the setback line although actual road frontage still cannot be reduced below 25-feet;
- b. Shall have a minimum area of 10,000 square feet. Multi-family units will be allowed a density of 17 units per acre when all the conditions of this Code are met;
- c. The maximum height of any structure shall be fifty-five (55) feet above the finished grade;
- d. The minimum size of any residential dwelling unit in the R-3 zoning district shall be 440 square feet;
- e. Lots and tracts located in the R-3 High Density Residential Zoning district shall not include the area of road rights-of-way;
- f. A maximum of 85% of the residential lot or tract shall be covered with impervious cover (roofs, parking, sidewalks, etc.), unless served by a MDNR approved centralized wastewater system;
- g. Swimming pools are subject to all setback requirements, with the limited exception of lakefront pools. Lakefront pools are not subject to lakefront setbacks; and
- h. Minimum setback requirements:
 - i. Minimum front setback - Thirty (30) feet;
 - ii. Minimum side corner setback - Fifteen (15) feet;
 - iii. Minimum side setback - Ten (10) feet; and
 - iv. Minimum rear setback - Twenty-five (25) feet

Note: The front is generally the side of the lot that fronts a street. For corner lots, the narrowest side fronting the street is considered the front.

- i. For lakefront lots the lakefront setback will be Zero (0) feet.

SECTION 911 - R-4: manufactured Home Parks

1. Purpose of District

- a. This zoning district is primarily intended for the development of quality manufactured home parks and associated uses.
- b. Provision is also made for such educational, recreational, and religious uses as are customarily associated with residential uses to provide the basic elements of a balanced and attractive residential area.
- c. Developments that involve manufactured home parks or more than one single-family dwelling per three acres are required to provide appropriate water and wastewater service to include central or public systems.

2. Principal Permitted Uses

- a. Any use included as a principal permitted use in the R-2 zoning district;
- b. Class B Manufactured Homes; and
- c. Manufactured home parks developed in accordance with the standards referenced in Appendix E.

3. Accessory Uses

- a. Any accessory use listed for the R-2 zoning district;
- b. Any accessory uses, buildings, or structures customarily incidental to the aforesaid permitted uses; and
- c. Property management or sales office.

4. Conditional Use Permits

- a. Any use listed as a Conditional Use Permit under the provisions of the R-2 zoning district that have not been addressed as a Principal Permitted Use.

5. **Height, Density, and Yard Requirements**

- a. Manufactured home parks shall comply with all density and yard standards referenced in Appendix E except for those provisions that are specifically addressed in this section;
- b. All tracts and lots of property created after the effective date of these regulations shall have a minimum road frontage dimension of Eighty (80) feet. (On cul-de-sacs and curves this is measured at the setback line.);
- c. All tracts and lots of property created after the effective date of these regulations shall have a minimum area of 22,000 square feet;
- d. The maximum height of any structure shall be fifty (50) feet above the finished grade;
- e. The minimum size of any residential dwelling unit in the R-4 zoning district shall be 560 square feet;
- f. Lots and tracts located in the R-4 Manufactured Home Park zoning district shall not include the area of road rights-of-way;
- g. A maximum of 75% of the residential lot or tract shall be covered with impervious cover (roofs, parking, sidewalks, etc.), unless served by a MDNR approved centralized wastewater system; and
- h. Minimum setback requirements (includes MHP perimeter):
 - i. Minimum front setback - Forty (40) feet;
 - ii. Minimum side corner setback - Twenty (20) feet;
 - iii. Minimum side setback - Twenty (20) feet; and
 - iv. Minimum rear setback - Twenty (20) feet.

SECTION 912 - B-1: OFFICE/LOW IMPACT COMMERCIAL

1. Purpose of District

- a. This district is intended for those establishments that can expect low to moderate volumes of consumer traffic and low volumes of commercial and service vehicle traffic.
- b. This district provides a location for administrative and professional offices.
- c. Neighborhood and local commercial uses intended to primarily serve residents and citizens of the nearby area.
- d. The principal use of land is to provide an area for smaller structures in a landscaped setting.
- e. This type of development can serve as a buffer between more intense retail and office uses and established residential neighborhoods.

2. Principal Permitted Uses

- a. Office and administrative uses such as government offices, professional offices, financial offices, real estate offices and other similar uses;
- b. Personal service establishments including beauty parlors, barber shops, dry cleaning and laundry pickup, shoe repair, self-service Laundromats, funeral homes, and other similar uses;
- c. Restaurants, cafes, and soda fountains excluding dancing or those with drive-in, or drive-up service;
- d. Retail establishments located within a completely enclosed building and that do not exceed 10,000 square feet in area;
- e. Day care center for children or adults provided that not more than twenty (20) individuals are kept with no more than a five (5) person overlap, that meets state licensing requirements;
- f. Churches and other places of worship including overnight shelters and temporary outdoor revivals;
- g. Educational facilities of general instruction including cultural, administrative, and/or public buildings;

- h. Emergency medical transportation stations;
- i. Fire Stations; and
- j. Medical clinics to include doctors' offices.

3. **Accessory Uses**

- a. Any accessory uses, buildings, or structures customarily incidental to the aforesaid permitted uses;
- b. Single-family dwelling to include site-built homes, modular homes, and Class A manufactured homes, provided that the residential unit is occupied by the owner and operator or a full-time employee of the principal permitted use; and
- c. Sufficient parking and loading sites required to serve the principal use.

4. **Conditional Use Permits**

- a. Banking and financial institutions with drive-up or drive through facilities;
- b. Restaurants with drive-up or drive through service or that have outdoor dining areas;
- c. Restaurants, clubs, bars, or that include dancing and/or live entertainment;
- d. Convenience stores with outdoor fuel sales;
- e. Medical clinics with pharmacies;
- f. Commercial kennels without veterinary clinics; and
- g. Self-Storage Facilities (indoor storage).

5. **Height, Density, and Yard Requirements**

All tracts and lots of property within a B-1 zoning district created after the effective date of these regulations:

- a. The maximum height of any structure shall be Fifty (50) feet above the finished grade;

- b. Shall have a minimum road frontage dimension of Eighty (80) feet;
- c. Shall have a minimum area of one (1) acre;
- d. A maximum of 50% of the development site shall be covered with impervious cover (roofs, parking, sidewalks, etc.);
- e. Lots and tracts located in the B-1 Office / Low Impact Commercial zoning district shall not include the area of road rights-of-way;
- f. Swimming pools are subject to all setback requirements, with the limited exception of lakefront pools. Lakefront pools are not subject to lakefront setbacks;
- g. Minimum setback requirements:
 - i. Minimum front setback - Twenty-five (25) feet;
 - ii. Minimum side corner setback - Twenty (20) feet;
 - iii. Minimum side setback - Twenty (20) feet; and
 - iv. Minimum rear setback - Twenty (20) feet.

Note: The front is generally the side of the lot that fronts a street. For corner lots, the narrowest side fronting the street is considered the front.

SECTION 913 - B-2: GENERAL COMMERCIAL

1. Purpose of District

- a. This zoning district is intended for those establishments that can expect medium volumes of consumer traffic as well as medium volumes of commercial and service traffic.
- b. The district is intended to provide a location for retail trade and to provide services to meet the regular needs and convenience of the residents and visitors.
- c. The principal use of land is for general retail business activity.

2. Principal Permitted Uses

- a. Any use included as a principal permitted use in the B-1 zoning district except as herein modified;
- b. Automobile, truck, trailer, farm implement, boat sales, and marine supply establishments for display, hire, sales, repair and including sales lots, provided that all operations, other than display and sales, shall be contained within a completely enclosed building;
- c. Motor vehicle repair and service facilities to include drive-up service, but with no outdoor storage of wrecks, vehicle parts, or salvaged materials;
- d. Banks and financial companies, including drive-in type, department and variety stores, specialty shops, studios, including commercial broadcasting schools;
- e. Bars, restaurants, cocktail lounges, liquor stores, billiard parlors, pool halls, bowling alleys, and similar uses provided that such use is conducted within a completely enclosed building;
- f. Camper or travel trailer parks developed in compliance with Appendix F;
- g. Drive-in eating and drinking establishments, summer gardens, and road houses, with or without entertainment and dancing;
- h. Indoor theaters;
- i. Hotels, motels, and other lodging enterprises;

- j. Carpenter shops, electrical, plumbing and heating shops, printing, publishing, or lithographing shops, funeral or mortuary, and furniture upholstering provided that any such use be conducted within a completely enclosed building;
- k. Pet shop, animal hospital, veterinary clinic or kennel;
- l. Skating rinks, dance halls, arcades, bakery, laundry, or commercial greenhouses;
- m. Outdoor advertising structure;
- n. Commercial marina; and
- o. Self-storage facilities.

3. Accessory Uses

- a. Any accessory use or structure customarily accessory and incidental to the listed principal permitted uses.

4. Conditional Use Permit

- a. Drive-in theaters, commercial baseball fields, swimming pools, golf driving ranges, livery stables and riding academies, amusement parks, massage parlors, health care, night clubs, or recreational uses including water slides, race-tracks or similar uses, and companionship services;
- b. Single-family dwelling to include site-built homes, modular homes, and Class A or Class B manufactured homes, provided that the residential unit is occupied by the owner and operator or a full-time employee of the principal permitted use;
- c. Multi-family dwelling units;
- d. Dock Assembly not including salvage operations; and
- e. Restaurants, Clubs, bars, lounges, etc. that have an outdoor entertainment venue (intended to draw customers) to include dancing and/or musical entertainment (live or not).

5. Height, Density, and Yard Requirements

All tracts and lots of property in a B-2 zoning district created after the effective date of these regulations:

- a. The maximum height of any commercial structure, excluding utility structures, shall be one hundred and twenty (120) feet above the average finished grade. Residential structures approved through a Conditional Use Permit (CUP) must comply with the standards of the appropriate zoning district where the structure would be a Principal Permitted Use;
- b. Shall have a minimum road frontage dimension of seventy (70) feet;
- c. Shall have a minimum area of 22,000 square feet;
- d. A maximum of 65% of the development site shall be covered with impervious cover (roofs, parking, sidewalks, etc.);
- e. Lots and tracts located in the B-2 General Commercial zoning district shall not include the area of road rights-of-way;
- f. Swimming pools are subject to all setback requirements, with the limited exception of lakefront pools. Lakefront pools are not subject to lakefront setbacks; and
- g. Minimum setback requirements:
 - i. Minimum front setback - Thirty (30) feet;
 - ii. Minimum side corner setback - Twenty (20) feet;
 - iii. Minimum side setback - Twenty (20) feet; and
 - iv. Minimum rear setback - Twenty (20) feet.

Note: The front is generally the side of the lot that fronts a street. For corner lots, the narrowest side fronting the street is considered the front.

SECTION 914 - B-3: HIGH IMPACT COMMERCIAL

1. Purpose of District

- a. This zoning district is intended to provide for those establishments that can expect high volumes of both consumer traffic and commercial or service traffic.
- b. The district is intended to provide a location for retail trade and to provide services to meet the regular needs and convenience of the residents and citizens from a regional service area.
- c. The principal use of land is for large retail or entertainment centers.

2. Principal Permitted Uses

- a. Any use included as a principal permitted use in the B-2 zoning district except as herein modified;
- b. Big box retailers;
- c. Convention centers;
- d. Drive-in Theaters;
- e. Arenas, water parks, race-tracks, and other such entertainment venues;
- f. Shopping centers;
- g. Building materials sales yards, not to include concrete mixing;
- h. Retail lumber yards; and
- i. Stone and concrete monument and statuary sales yards.

3. Accessory Uses

- a. Any accessory use or structure customarily accessory and incidental to the listed principal permitted uses.

4. Conditional Use Permits

- a. Adult entertainment facilities provided that:

- i. The use shall be located a minimum of 1,000 feet from any existing educational or religious worship site; and
 - ii. The use shall be located a minimum of 500 feet from any existing occupied residence or residential subdivision lot.
- b. Correctional confinement facilities;
- c. Gaming or gambling facilities; and
- d. Any use listed as a permitted use in the B-3 High Impact Commercial zoning district that qualifies as a *lake frontage development must be reviewed as a conditional-use permit* to address the special issues concerning such a location.

5. **Height, Density, and Yard Requirements**

All tracts and lots of property in a B-3 zoning district created after the effective date of these regulations:

- a. The maximum height of any commercial structure, excluding utility structures, shall be one hundred and twenty (120) feet above the average finished grade;
- b. Shall have a minimum road frontage dimension of sixty (60) feet;
- c. Shall have a minimum area of 12,000 square feet;
- d. A maximum of 75% of the development site shall be covered with impervious cover;
- e. Lots and tracts located in the B-3 High Impact Commercial zoning district shall not include the area of road rights-of-way;
- f. Setback requirements apply to both public and private roads;
- g. Swimming pools are subject to all setback requirements, with the limited exception of lakefront pools. Lakefront pools are not subject to lakefront setbacks; and
- h. Minimum setback requirements:
 - i. Minimum front setback - Forty (40) feet;
 - ii. Minimum side corner setback - Twenty (20) feet;
 - iii. Minimum side setback - Twenty (20) feet; and
 - iv. Minimum rear setback - Thirty (30) feet.

Note: The front is generally the side of the lot that fronts a street.
For corner lots, the narrowest side fronting the street is considered the front.

SECTION 915 - I-1: INDUSTRIAL

1. Purpose of District

- a. This zoning district is intended to provide for those establishments that can expect high volumes of commercial or service traffic.
- b. The district is intended to provide a location for industrial, manufacturing, and warehousing to provide goods and services to meet the regular needs of the business community.

2. Principal Permitted Uses

- a. Warehouse Distribution Centers (break bulk and transportation);
- b. Dry cleaning facilities;
- c. Recycling centers and Transfer stations;
- d. Quarries, mining, and extraction sites;
- e. Manufacturing facilities, including processing, creating, repairing, renovating, painting, cleaning, assembly of goods, merchandise and equipment, and similar uses;
- f. Truck or bus terminals;
- g. Water and sewage treatment plants;
- h. Commercial power generation plants;
- i. Warehousing to include self-storage facilities;
- j. Dock assembly;
- k. Salvage operations;
- l. Sanitary landfills; and
- m. Food processing and packaging facilities.

3. Accessory Uses

- a. Any accessory use or structure customarily accessory and incidental to the listed principal permitted uses including product sales; and

- b. Smoke-stacks, water towers, and other facilities that exceed the normal height limits, but are a normal and expected structure to serve the principal permitted use.

4. **Conditional Use Permits**

- a. Any use not previously listed as a principal permitted use in any other district or that does not more properly belong to another district considering the intensity of the use and any characteristics of the districts; and
- b. Any use listed as a permitted use in the I-1 Industrial zoning district that qualifies as a lake frontage development must be reviewed as a conditional-use permit to address the special issues concerning such a location.

5. **Height, Density, and Yard Requirements**

All tracts and lots of property within an I-1 zoning district created after the effective date of these regulations:

- a. The maximum height of any structure, excluding utility structures, shall be one hundred and twenty (120) feet above the average finished grade;
- b. Shall have a minimum road frontage dimension of one hundred (100) feet;
- c. Lots and tracts in the I-1 Industrial zoning district do not have a minimum lot size;
- d. A maximum of 85% of the development site shall be covered with impervious cover;
- e. Lots and tracts located in the I-1 Industrial zoning district shall not include the area of road rights-of-way;
- f. This section shall not apply to underground mining where the entrance is through an existing shaft, or shafts, or through a shaft or shafts not within the area shown on the flood hazard map. See *RSMo. Section 64.620*; and
- g. Minimum setback requirements:
 - i. Minimum front setback - Fifty (50) feet;
 - ii. Minimum side corner setback - Twenty-five (25) feet;

- iii. Minimum side setback - Twenty (20) feet; and
- iv. Minimum rear setback - Forty (40) feet.

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SECTION 916 - SUPPLEMENTAL ZONING PROVISIONS (Specific Prohibitions and Exclusions)

1. Permissible Uses and Specific Exclusions

- a. The presumption established by this Code is that all legitimate uses of land are permissible within at least one zoning district included in this Article.
- b. Without limiting the generality of the foregoing provision, the following uses are specifically prohibited in all districts:
 - i. Any use that involves the manufacture, handling, sale, distribution, or storage of any highly combustible or explosive materials without specific approval by Special Use Permit (and the Fire District if applicable).
 - ii. The use of a travel trailer or tent as a temporary or permanent residence.
 - iii. Use of a motor vehicle parked on a lot as a structure in which, out of which, or from which any goods are sold or stored, any services performed, or other business is conducted, except the use of mobile health vehicles and bookmobiles.
 - iv. Use of a manufactured home (mobile home) for any purpose other than a residence. If the structure has been designed and built to be used as an office structure then it can be used for that purpose and for meeting rooms, classrooms, and other similar uses.
 - v. Storage outside of a substantially enclosed structure of more than two (2) motor vehicles that are unlicensed or are not operational.

2. Supplemental Setback Provisions

- a. Subject to other provisions of this Code, no portion of any building, or any freestanding structure, may be located on any property closer to any other property line or street right-of-way than is authorized in the zoning district provisions.
 - i. Building setback lines are to be measured from the actual right-of-way line, however in the event that the property line is not readily determinable, it is allowable to measure a front

or side corner setback line from the centerline of the roadway, with the understanding that if this measurement later proves to be inaccurate (through a survey or other means), the true location of the required setback is determined from the right-of-way line.

- ii. As used in this section, the term "building" includes any substantial structure, which by nature of its size, scale, dimensions, bulk, or use tends to constitute a visual obstruction or generate activity similar to that associated with a building. Without limiting the generality of the foregoing, the following structures shall be deemed to fall within this description:

- a) Fuel pumps and overhead canopies and roofs.
- b) Fences along lot boundaries adjacent or perpendicular to public street rights-of-way if such fence is substantially opaque and could obstruct site distances.

- b. Where building setback lines are established either on a recorded plat or in a recorded declaration of covenants and/or restrictions, any building constructed after the effective date of this Code shall comply with the existing recorded setback lines. The applicant for a building permit shall have the burden of providing the Administrator with sufficient documentation that the lot or tract was created prior to the effective date of this Code and the plat or recorded declaration establishing such setback lines.

- b.
 - c. Where no building setback lines are established in a recorded document, any building constructed after the effective date of this code shall locate the proposed structure so that the same meets the requirements of any applicable Building Code for fire safety and the requirements of the Camden County Wastewater Department, the State Department of Health and/or the Missouri Department of Natural Resources with respect to the location of any onsite wastewater treatment system and drinking water supply. The applicant for a building permit shall have the burden of providing the Administrator with sufficient documentation of compliance with these requirements. The setback requirements established for the zoning district in which the existing lot or tract of land is located shall be presumed to satisfy the requirements of this paragraph.

SECTION 917 - PLANNED UNIT DEVELOPMENT (PUD)

A PUD is a site-specific zoning district tailored to a specific location and use(s). PUDs allow greater flexibility, but the overall development quality must be equal to or better than what would be required by standard zoning. It is the responsibility of the PUD applicant to provide a justification for the PUD zoning, including both how the proposed development standards deviate from those in a standard zoning district, and in what ways the development exceeds the typical standards.

1. General Requirements and Purpose

PUD zoning must comply with all applicable underlying zoning requirements and/or the Camden County Commission must approve any and all necessary rezoning designations or mixed uses for the PUD, following the same procedure as for any other type of rezoning. If the PUD has multiple phases, the Camden County Commission must approve necessary rezoning designations or mixed uses for each phase. Decisions of record from the Planning Commission and the Camden County Commission should state the type(s) of zoning classification(s) for the PUD and, if applicable, the type(s) of zoning classification(s) for each phase of the PUD.

The following list sets forth the objectives of PUDs in Camden County:

- a. To permit flexibility in site design by taking into consideration varying topographic conditions present within the proposed site.
- b. To achieve more efficient use of the land, which can result from larger scale developments.
- c. To encourage the provision of open space and other amenities that will create quality developments.
- d. To protect and preserve scenic assets and natural features and to have these features incorporated within the development.
- e. To foster a more stable community by providing a variety and balance of housing types and living environments.
- f. To encourage and permit variety in the location of buildings, roads, parking facilities, and other infrastructure activities.
- g. To increase the safety of pedestrian and vehicular traffic by reducing the number of traffic conflict points within a developments (PUDs require a traffic impact study before they can be approved).

2. Application and Processing Procedure

- a. **Pre-Application Conference.** The developer must schedule a pre-application conference with the Planning Administrator. Sufficient graphical representation of the proposed development must be brought to this meeting as to provide a significant level of discussion. At a minimum the plans must show the topography, existing natural and built features, planned infrastructure, proposed structures and land-uses, and what variations from the existing zoning district are proposed. This conference is required but it is not a regulatory proceeding and is intended as a service to the developer.
- b. **Application.** The application for a PUD is processed using the forms and procedure that is used for a Conditional-Use Permit. The significant difference is in the required submittals that must be provided at the time the application is presented. Additionally the fees will be a combination of those required for a Conditional-Use Permit plus a Preliminary Plat. The following is a listing of the minimum submittal requirements:
 - i. Completed Application.
 - ii. Development (or Area) Plan.
 - iii. Property Ownership information (Warranty Deed).
 - iv. Complete legal description of the property involved in the proposal.
 - v. Detailed written description of the proposed development.
 - vi. Traffic Impact Study.
- c. **Development Plan (or PUD Plan).** The development plan is a combination of the graphical and written description of the proposed Planned Unit Development. At a minimum it must include:
 - i. Name of the proposed "PUD" project.
 - ii. Scale, date, north arrow, and developer's name.
 - iii. A key map showing the "PUD" in relation to the surrounding area.

- iv. Existing - A graphical representation of the project and the area within two hundred (200) feet of the project that depicts; names of subdivisions, layout of all streets (with names if existing), right-of-way widths, easements, sidewalks, location and size of existing infrastructure (sewer, water, storm water, etc.).
- v. Proposed - A graphical representation of the proposed development depicting all structures, land-uses, infrastructure improvements, amenities, open space, lot layout, basic dimensions, and any other information necessary to clearly represent the proposal.
- vi. Topography with at least a five (5) foot contour interval. Identify the location of any significant topographic features (springs, streams, lake, sinkholes, etc.). Identify those features to be retained and incorporated into the development.
- vii. The substance of any covenants, grants of easements, development controls or restrictions, or other devices proposed to be imposed upon the use of land, buildings and structures, and facilities.
- viii. Proposed phasing plan or stages of development (if multiple).
- ix. The number, size, and location of all lots, land-uses, and structures must be clearly represented.
- x. Residential Data:
 - a) Estimated total and type of residential units.
 - b) Amount of land to be dedicated to each residential land-use.
 - c) Proposed setbacks, height requirements, and lot sizes, must be listed with clear representation that they do or do not differ from those required by the Unified Land-Use Code.
- xi. Commercial Data:
 - a) Estimated total building square footage by land-use type.

- b) Percentage of building coverage by land-use type.
 - c) Total parking and loading/unloading areas to be provided.
 - d) Proposed setbacks, height requirements, and lot sizes, must be listed with clear representation that they do or do not differ from those required by the Unified Land-Use Code.
- xii. The type(s) of zoning classification(s) intended for the PUD and/or each phase of the PUD.
- xiii. Any additional information deemed necessary by the Planning Administrator to adequately illustrate the proposed development.
- d. Due to the complex nature of a PUD, and the need for ample time to review PUD applications and requests, the Planning Commission shall not have the option to move any PUD applications and requests to "Old Business" and vote on them the first time they are heard.
- e. If the Planning Commission denies the PUD zoning recommendation requested, a clear statement of the reasons for denial must be made, and the developer will have the ability to request a one-month stay in the decision to provide him or her the opportunity to revise the plan. Then, the Planning Commission shall have the right to recommend approving or denying the revised plan again, but no further revision periods will be allowed. Even in the case of a revised PUD plan, the Planning and Zoning Commission shall not have the option to move the request to "Old Business" and vote on it the first time the revisions are heard.
- f. As with any zoning designation change request, the Camden County Commission shall make the final decision on whether or not PUD zoning will be granted to the property,
- g. Both the decision of the Planning and Zoning Commission and the decision of the Camden County Commission are subject to the same hearing and notice requirements as for any other type of zoning or rezoning. *See Article 300, Article 1400.*
- h. In general, development of the PUD shall proceed using the standard procedures for construction and the development of

subdivisions. Final plats will be prepared and submitted in the same manner as for any other development and all necessary Zoning and Construction Permits shall be acquired.

3. Standards for Development Plan Approval

- a. The minimum land area for a PUD project is twenty (20) acres. It is possible for the Planning Commission and the Camden County Commission to address a smaller area as a PUD, but only when the topographic limits of the property strongly lend itself to such a decision (for example a peninsula of land surrounded by lake).
- b. The average density of development within the PUD shall remain the same as would be permitted if the area were to be developed in a conventional manner. Average density is to be calculated as the total gross land area of the property. However, the development (buildings and lots) so permitted may be clustered and located irrespective of the normal yard setback requirements in order to create a smaller network of streets and utility lines and to create additional open space for the enjoyment of the residents.
- c. The proposed development shall be adequately served by public facilities and services such as: highways, streets, easements, drainage courses, storm water retention and detention facilities, water and sanitary facilities, in a manner acceptable to the Planning Commission and the Camden County Commission. All such facilities will be required to be permitted by the appropriate agency.
- d. Open space, individual properties, and all other elements of the PUD are so planned that they will achieve a unified environmental scheme, with open spaces and all other elements in appropriate locations, suitably related to each other, the site, and the surrounding land. All created open spaces shall be permanently secured as such to the satisfaction of the Planning Commission and the Camden County Commission.
- e. The location of the proposed land-uses, layout of the site, and its relation to streets providing access to it, shall be such that the traffic to, from, and within the development, and concentration of persons in connection therewith, will not be hazardous or inconvenient to the project or neighborhood. In applying this standard the Planning Commission and the Camden County Commission should consider among other things, convenient routes for pedestrian traffic (especially children), the relationship of the project to thoroughfares and street intersections, and the

general character and intensity of the existing and potential development in the area.

- f. When considering the development as a whole, the Planning Commission and the Camden County Commission may authorize the combination of land-uses on lots or within buildings so long as such combinations of use are reasonable and serve the resident and general public. An example of this may be the establishment of a community center on a large project where some light commercial uses would exist at street level, yet the upper floors of the same structures could be higher density residential land-uses.

4. Effect of PUD Approval

- a. The approval by the Planning Commission and the Camden County Commission of the PUD shall assure the applicant that, provided that all land development, platting, and construction is diligently pursued in compliance to the development plan, Missouri law, and the Code, all approvals, permits, and final plats will be forthcoming.
- b. The approval of a PUD is considered valid as long as the phasing plan or stage plan is followed and the development is completed in a timely manner. With due regard to acquiring all necessary permits and the effect of weather, any development that sits idle and/or has not had a final plat recorded for two (2) years will be considered expired and a new review process will be required. The Planning Administrator may extend this period in one-year increments if the circumstances warrant such an extension.
- c. Approval of the PUD shall be recognized as the developer's right to begin construction of the development.

5. Amendment of a PUD Project

- a. Any proposed change in a PUD that constitutes a minor change, but does not constitute a zoning or rezoning of the property, can be approved by the Planning Administrator. No increase in the number of lots, increase in the intensity of use, or change in land-use can be considered a minor change.
- b. If the Planning Administrator decides that the proposed change is of significant magnitude as to significantly alter the nature or character of the development, and/or the proposed change constitutes a zoning or rezoning of the property, then the proposed change will be considered an amendment and the amendment will be required to be submitted to the Planning Commission for a

public hearing and a recommendation, and ultimately approved or rejected by the Camden County Commission, in the same manner as a zoning or rezoning request.

ARTICLE 1000: STREET AND SIDEWALK STANDARDS

SECTION 1001 - STREET CLASSIFICATION

1. In all new subdivisions, streets that are dedicated to public use shall be classified as provided in Subsection (2).
 - a. The classification of the street shall be based primarily upon the projected volume of traffic to be carried by the street. This is usually stated in terms of the number of trips per day.
 - b. The number of dwelling units to be served by the street may be used as a useful indicator of the number of trips but is not to be considered conclusive.
 - c. Whenever a subdivision street continues an existing street that formerly terminated outside the subdivision or it is expected that a subdivision street will continue beyond the boundary of the subdivision at some future time, the classification of the street will be based upon the street in its entirety, both within and outside of the subdivision.
2. The classification of streets shall be as follows:
 - a. **Minor** - A street whose sole function is to provide access to abutting properties. It serves or is designed to serve not more than twenty-four dwelling units and is expected to or does handle up to 240 trips per day.
 - b. **Local** - A street whose sole function is to provide access to abutting properties. It serves or is designed to serve at least 24 but no more than 60 dwelling units and is expected to or does handle between 240 and 600 trips per day.
 - c. **Cul-de-sac** - A street that terminates in a vehicular turnaround.
 - d. **Collector** - A street whose principal function is to carry traffic from minor and local streets and arterial streets but that may also provide direct access to abutting properties. It serves or is designed to serve, directly or indirectly, up to 100 dwelling units and is designed to be used or is used to carry up to 1000 trips per day.
 - e. **Arterial** - A major street that serves as a highway for the circulation of traffic into, out of, or around the county and carries high volumes of traffic. Access to abutting properties should be discouraged unless no other option exists.

- f. **Commercial/Industrial Street** - A major street that provides access to a commercial or industrial development and that serves or is intended to serve truck traffic.
 - g. **Marginal Access Street** - Also called service roads and is a street that is parallel to and adjacent to an arterial street and is designed to provide access to abutting properties so that these properties are somewhat sheltered from the effects of through traffic on the arterial street and so that the flow of traffic on the arterial street is not impeded by direct driveway access from abutting properties.
 - h. **Driveway** - A narrow roadway whose sole function is to provide access to abutting properties. It serves or is designed to serve not more than three dwelling units and is expected to or does handle up to 30 trips per day. It will not exceed 660 feet in length from the intersection to the last property it accesses. This is meant for R-1 and R-2 zoning only.
3. All subdivisions that are established adjacent to a County road that is identified on the road functional classification map and according to the standards of that identified classification is substandard in the amount of existing right-of-way width, must dedicate an additional amount of right-of-way equal of one-half of the deficit amount. If the subdivision is located on both sides of the deficit County road this dedication will occur on both sides to bring the right-of-way up to its minimum standard right-of-way width.

SECTION 1002 - ACCESS TO SUBDIVISION LOTS

Every lot created through the subdivision process shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use.

SECTION 1003 - ACCESS TO ARTERIAL STREETS

Whenever a subdivision that involves the creation of one or more new streets border on or contains an existing or proposed arterial street, no direct driveway access may be provided from the lots within this subdivision onto this street unless no other option is possible. This provision can be waived only by a decision of the Planning Commission upon recommendation by the County Highway Engineer. Such a waiver should relate to the topographic situation only and in no case shall a financial consideration be used as a basis for the waiver.

SECTION 1004 - ENTRANCES TO STREETS

1. All driveway entrances and other openings onto streets within the County's planning jurisdiction shall be constructed so that:
 - a. Vehicles can enter and exit from the lot in question without posing any substantial danger to themselves, pedestrians, or vehicles traveling in abutting streets, and
 - b. Interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized.
2. Specifications for driveway entrances are set forth in Appendix C to this regulation. If driveway entrances and other openings onto streets are constructed in accordance with the foregoing specifications and requirements, this shall be deemed prima facie evidence of compliance with the standards set forth in Subsection (1).
3. For purposes of this section, the term prima facie evidence means that the County may (but is not required to) conclude from this evidence alone that the proposed development complies with Subsection (1).
4. For entrances on to any County maintained roadways, the ultimate authority to authorize said entrance is the Camden County Commission and the permitting authority is the County Highway Engineer.
5. For entrances on to any State of Missouri maintained roadway the ultimate authority to authorize said entrance is the Missouri Department of Transportation (MoDOT).

SECTION 1005 - COORDINATION WITH SURROUNDING STREETS

1. The street system of a new subdivision shall be coordinated with existing, proposed, and anticipated streets outside the subdivision or outside the portion of a single tract that is being divided into lots (hereinafter called "surrounding streets") as provided in this section.
2. Collector streets shall intersect with surrounding collector or arterial streets at safe and convenient locations.
3. Local and Minor residential streets shall connect with surrounding streets where necessary to permit the convenient movement of traffic between residential neighborhoods or to facilitate access to neighborhoods by emergency service vehicles or for other sufficient reasons, but connections shall not be permitted where the effect would be to encourage the use of such streets by substantial through traffic.

4. Whenever connections to anticipated or proposed surrounding streets are required by this section, the street right-of-way shall be extended and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In addition the County may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. Notwithstanding the other provisions of this subsection, no temporary dead-end street in excess of 1,320 (1/4th of a mile) feet may be created unless no other practicable alternative is available.
5. When a Minor street transitions to a Driveway an appropriate cul-de-sac or turn-around must be installed.

SECTION 1006 - RELATIONSHIP OF STREETS TO TOPOGRAPHY

1. Streets shall be designed and constructed related appropriately to the existing topography. In particular streets that are designed to facilitate the drainage and storm water runoff, objectives of Article 500 and street grades shall conform as closely as practicable to the original topography.
2. The maximum grade at any point on a street required by these codes built without guardrails shall be 12 percent. On streets constructed with guardrails, the maximum grade shall not exceed 15 percent unless no practicable alternative is available and in no case shall a street grade exceed 17 percent. However, in no case may streets be constructed with grades that, in the professional opinion of the County Highway Engineer, shall create a substantial danger to public safety.
3. Guardrails shall be installed where slopes are steeper than 3:1 and more than 25 feet in slope length. Guard rails shall not be required if a runoff slope of 20 feet or longer is installed at a grade not to exceed 6:1 prior to a slope of 2:1 or flatter. All guardrails at a minimum shall be Type A rails in accordance with MODOT current specifications as designed by a professional engineer and approved by the County Highway Engineer.
4. When, in the opinion of the County Highway Engineer, there exists a serious threat to public health, or when slopes exceed 1:1, special design considerations must be made and approved by the County Highway Engineer to use barriers to prevent vehicles from leaving the roadway. All guardrails shall be equipped with MODOT approved crashworthy end sections as required for the speed of the traveling public at the terminus of the rail. The road face of the guardrail shall be installed a minimum of 24"

from the edge of pavement or back of curb. Guard rail will also be installed to prevent impact with bridge structures, culverts, buildings, etc. as required by a professional engineer and approved by the County Highway Engineer.

SECTION 1007 - STREET WIDTH, SIDEWALK, & DRAINAGE REQUIREMENTS

1. Street rights-of-way are required, designed and developed to serve several functions to include:
 - a. To carry motor vehicle traffic, and in some cases allow on-street parking;
 - b. To provide a safe, convenient passageway for pedestrian traffic; and
 - c. To serve as an important link in the County's drainage system.

In order to fulfill these objectives, all public streets shall be constructed to meet the standards set forth:

Street Type	AADT	Minimum ROW Width	Minimum Pavement Width	Paved Shoulder
Driveway	<30	25	18	None
Minor Street	30-240	40	22	None
Local Street	240-600	40	22	None
Collector Street	600-1000	50	24	One Side
Arterial Street	1000+	60	24	Both Sides
Commercial Street	600+	60	24	Both Sides

2. Sidewalks with concrete curb and gutter may be installed in lieu of paved shoulders. Sidewalks shall be at least five (5) feet in width and constructed according to the specifications as set forth in Appendix C and in compliance with the Americans with Disabilities Act (ADA).
3. Whenever the County finds that a means of pedestrian access is necessary from the subdivision to schools, parks, playgrounds, or other roads and facilities and that such access is not conveniently provided by sidewalks adjacent to the streets, the developer may be required to reserve an unobstructed easement at least 10 feet in width to provide such access.

4. In developments that provide significant recreational amenities or present a topographic problem, the Planning Commission may authorize required pedestrian walkways to be located other than adjacent to the streets. When such allowance is made a ten-foot wide easement shall be established and the walkway must at a minimum to be in compliance with the Americans with Disabilities Act (ADA).

SECTION 1008 - GENERAL LAYOUT OF STREETS

1. Local and Minor residential streets shall be curved whenever practicable to the extent necessary to avoid conformity of lot appearance.
2. Cul-de-sacs and loop streets are encouraged so that through traffic on residential streets is minimized. Similarly, to the extent practicable, driveway access to collector streets should be minimized to facilitate the free flow of traffic and avoid traffic hazards.
3. All permanent dead-end streets (as opposed to temporary dead-end streets, see Subsection 1005) shall be developed as cul-de-sacs in accordance with the standards set forth in Subsection (4). Except where no other practicable alternative is available, such streets may not extend more than 660 feet ($1/8^{\text{th}}$ of a mile) (measured to the center of the turnaround). In the event that topography does not allow for a cross or loop street to be established and a cul-de-sac must extend significantly longer than normal there shall be established intermediate turnaround facilities at reasonable locations not to exceed 660 feet ($1/8^{\text{th}}$ of a mile) in separation.
4. The right-of-way of a cul-de-sac shall have a radius of 50 feet for any local, minor, or collector street. The radius of the paved portion of the turnaround (measured to the outer edge of the pavement) shall be 35 feet, and the pavement width shall be 12 feet without curb and gutter or 16 feet with curb and gutter. The center of the turnaround area may be paved or left unpaved. If the center of the turnaround is left unpaved it shall be landscaped and maintained. Alternative street turnaround formats may be approved by the Planning Commission based on a recommendation by the County Highway Engineer.
5. Commercial/Industrial streets shall have a 60-foot cul-de-sac radius and arterial roads should not ever require a turnaround. The radius of the paved portion of the turnaround (measured to the outer edge of the pavement) shall be 45 with no unpaved portion allowed in the center.
6. Half streets (i.e., any street of less than the full required right-of-way and pavement width) shall not be permitted except where such streets, when

combined with a similar street (developed previously or simultaneously) on property adjacent to the subdivision, creates or comprises a street that meets or exceeds the right-of-way and pavement requirements of this regulation.

7. Streets shall be laid out so that residential blocks do not exceed 1,320 feet (1/4th of a mile) unless no other practicable alternative is available.
8. It is the responsibility of the applicant to meet and confer with the County Highway Engineer before submitted final plans for approval.
9. One-way street formats may be approved by the Planning Commission based on a recommendation by both the Planning Administrator and the County Highway Engineer and so long as no dead-end street is created. This option is most usually applicable to Planned Unit Developments (PUD's).

SECTION 1009 - STREET INTERSECTIONS

1. Streets shall intersect as nearly as possible at right angles, and no two streets may intersect at less than 60 degrees. Not more than two streets shall intersect at any one point, unless the County Highway Engineer certifies to the Planning Commission that such an intersection can be constructed with no extraordinary danger to public safety.
2. Whenever possible, proposed intersections along one side of a street shall coincide with existing or proposed intersections on the opposite side of said street. In any event, where a centerline offset (jog) occurs at an intersection, the distance between centerlines of the intersecting streets shall not be less than 150 feet.
3. Except when no other alternative is practicable or legally possible, no two streets may intersect with any other street on the same side at a distance of less than 400 feet measured from centerline to centerline of the intersecting street. When the intersected street is an arterial, the distance between intersecting streets shall be at least 1,000 feet.

SECTION 1010 - CONSTRUCTION STANDARDS

Construction and design standards for streets, sidewalks, and curb and gutters, are contained in Appendix C, and all such facilities shall be completed in accordance with these standards.

SECTION 1011 - PUBLIC STREETS AND PRIVATE ROADS IN SUBDIVISIONS

1. Except as otherwise provided in this section, all lots created after the effective date of this regulation shall abut a public street at least to the extent necessary to comply with the access requirements in Section 1002. For purposes of this subsection, the term "public street" includes a preexisting public street as well as a street created by the subdivider that meets the public street standards of this regulation and is dedicated for public use. Unless the recorded plat of a subdivision clearly shows a street to be a private road, the recording of such a plat shall constitute an offer of dedication of such street regardless whether or not such a declaration is made on the final plat.
2. Architecturally integrated residential subdivisions containing 25 or more dwelling units may be developed with private roads that do not meet the public street and sidewalk standards of this regulation so long as:
 - a. The proposed development will have direct access onto a public street or, if the tract has access to a public street only via a private road, such private road is improved to public street standards;
 - b. No road intended to be private is planned to be extended to serve property outside that development;
 - c. The standards applicable to un-subdivided developments set forth in Sections 1011 and 1012 are complied with.
3. Architecturally integrated residential subdivisions containing any number of dwelling units may be developed with private roads that do not meet the public street and sidewalk standards of this regulation and are not intended for dedication to the public so long as:
 - a. The proposed development will have direct access onto a public street or, if the tract has access to a public street only via a private road, such private road is improved to public street standards;
 - b. No road intended to be private is planned or expected to be extended to serve property outside that development;
 - c. The subdivider demonstrates to the reasonable satisfaction of the Planning Commission that the private roads will be properly maintained.
4. An exempt subdivision may be served by a private road that does not meet the public road street standards. Specifically this includes the transfer of land to an immediate family member consisting of a transfer

from or to a son, daughter, sister, brother, father or mother, or grandfather or grandmother, of land that is zoned agricultural. All such private road easements are encouraged to be a minimum of 40 feet in right-of-way width.

5. No final plat that shows lots served by private roads may be recorded unless the final plat contains the following notations:
 - a. "Further subdivision of any lot shown on this plat as served by a private road may be prohibited by the Camden County Unified Land-Use Code."
 - b. "It is the policy of Camden County that no road shall be accepted for maintenance that does not fully meet the design and construction standards as set forth in the Unified Land-Use Code." In no circumstance is this statement to be interpreted as a statement of intent by the county to accept any road for maintenance. Such a decision will be made by the Camden County Commission on a case-by-case circumstance.
6. The recorded plat of any subdivision that includes a private road shall clearly state that such road is a private road. Further, the initial purchaser of a newly created lot served by a private road shall be furnished with a disclosure statement from the seller, outlining the maintenance responsibilities for the private road.

SECTION 1012 - REQUIREMENTS IN UNSUBDIVIDED DEVELOPMENTS

1. Within unsubdivided developments, all private roads and access ways shall be designed and constructed to facilitate the safe and convenient movement of motor vehicles and pedestrian traffic. Width of roads, use of curb and gutter, and paving specifications shall be determined by the provisions of the Unified Land-Use Code dealing with parking (Article 1300) and drainage (Article 1200). To the extent not otherwise covered in the foregoing articles, and to the extent that the requirements set forth in this article for subdivision streets may be relevant to the roads in unsubdivided developments, the requirements of this article may be applied to satisfy the standard set forth in the first sentence of this subsection.
2. Whenever a road in an unsubdivided development connects two or more collector or arterial streets in such a manner that any substantial volume of traffic is likely to make use of this road, such road shall be constructed in accordance with the standards applicable to subdivision streets and shall be dedicated. In other cases when roads in unsubdivided developments within the county are constructed in accordance with the specifications for

subdivision streets, the county may (but is not required) to accept an offer to dedicate the streets.

3. In all unsubdivided residential developments, sidewalks shall be provided linking dwelling units with other dwelling units, the public street, and any on-site activity centers such as parking areas, laundry facilities, and recreational areas and facilities. Notwithstanding the foregoing, sidewalks shall not be required where pedestrians have access to a road that serves not more than six dwelling units.
4. Whenever the County finds that a means of pedestrian access is necessary from an unsubdivided development to schools, parks, playgrounds, or other roads and facilities and that such access is not conveniently provided by sidewalks adjacent to the roads, the developer may be required to reserve an unobstructed easement at least 10 feet in width to provide such access.
5. The sidewalk required by this section shall be at least five (5) feet in width and constructed according to the specifications set forth in Appendix C, except that the County may permit the installation of walkways with other suitable materials when it concludes that:
 - a. Such walkways would serve the residents of the development as adequately as concrete sidewalks; and
 - b. Such walkways would be more environmentally desirable or more in keeping with the overall design of the development.

SECTION 1013 - ATTENTION TO HANDICAPPED CONSTRUCTION

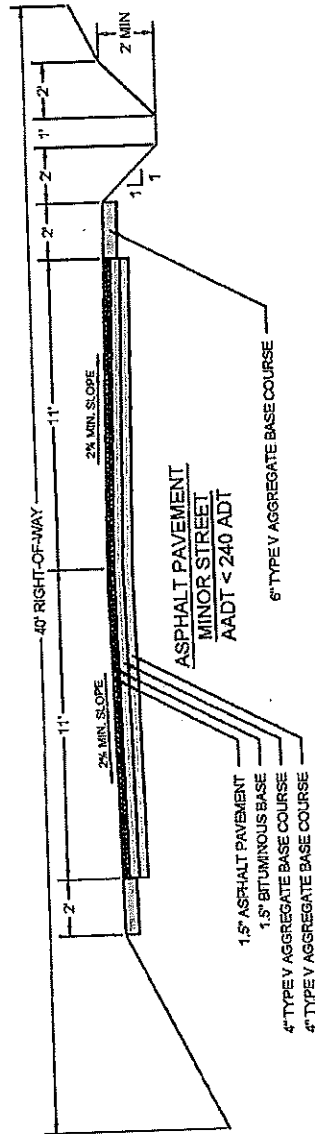
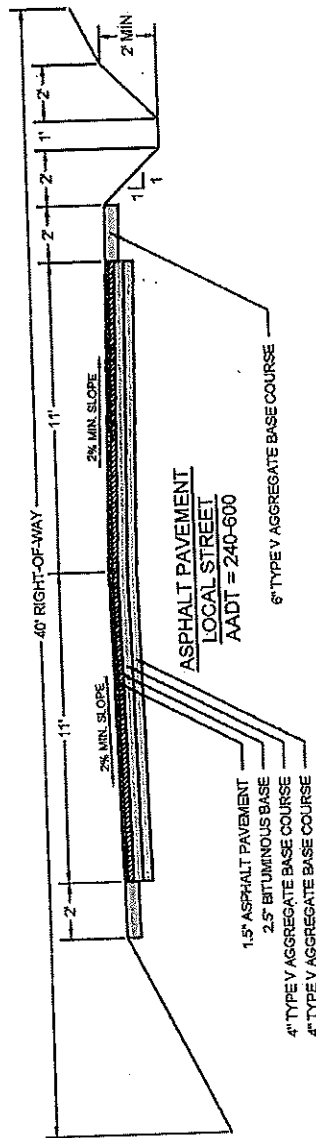
1. Whenever curb and gutter construction is used on public streets, wheelchair ramps for the handicapped shall be provided to access pedestrian walkways at intersections.
2. In unsubdivided developments, sidewalk construction for the handicapped shall conform to these same basic standards and in accordance with the Americans with Disabilities Act.

SECTION 1014 - BRIDGES

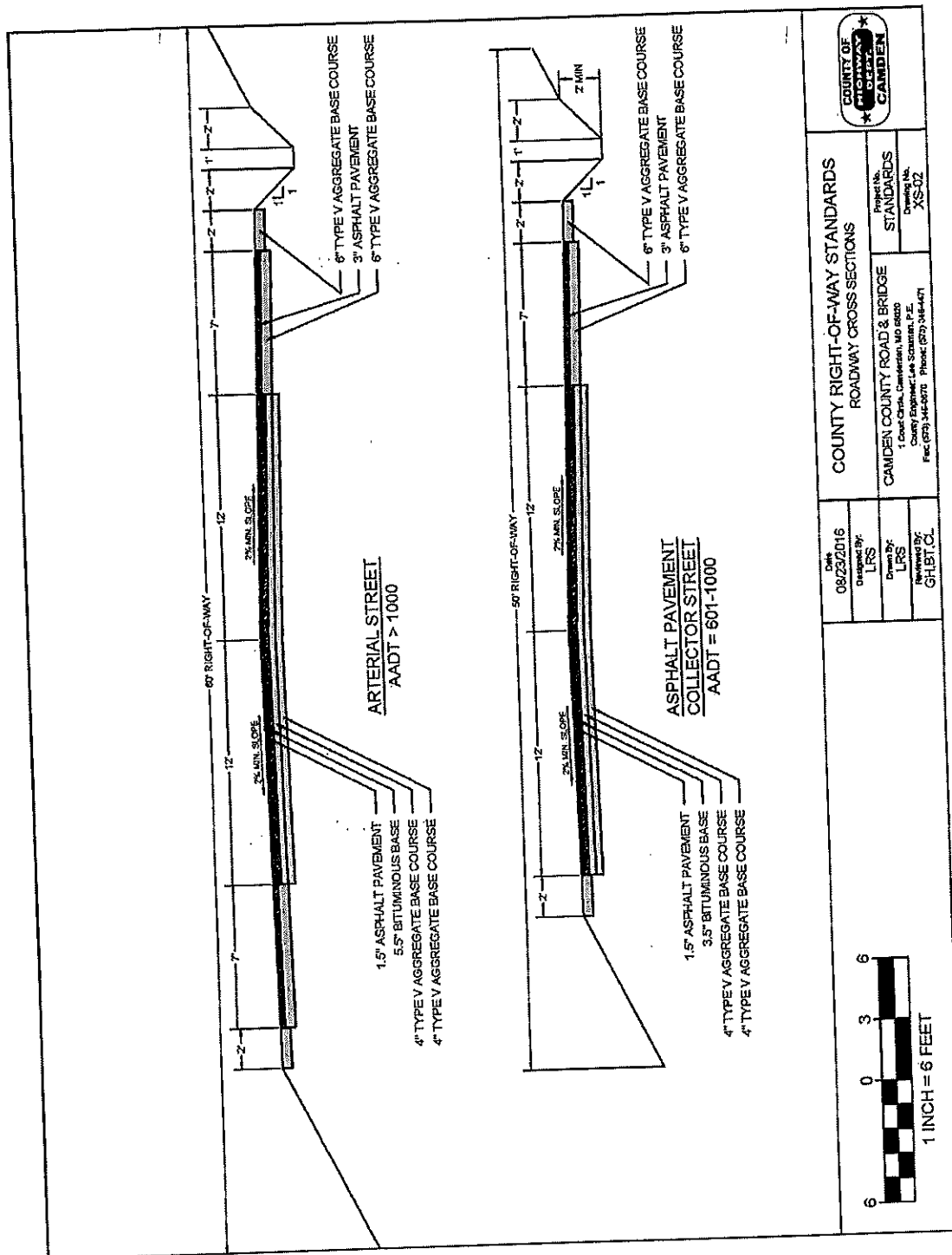
All bridges shall be constructed in accordance with the standards and specifications of the Missouri Department of Transportation (MoDOT), except that bridges on roads not intended for public dedication may be approved if designed by a licensed engineer.

SECTION 1015 - COUNTY ROAD AND BRIDGE REQUIREMENTS

All developments must comply with the Camden County Road and Bridge requirements for an Access Permit and/or Road Maintenance impact fee as applicable.



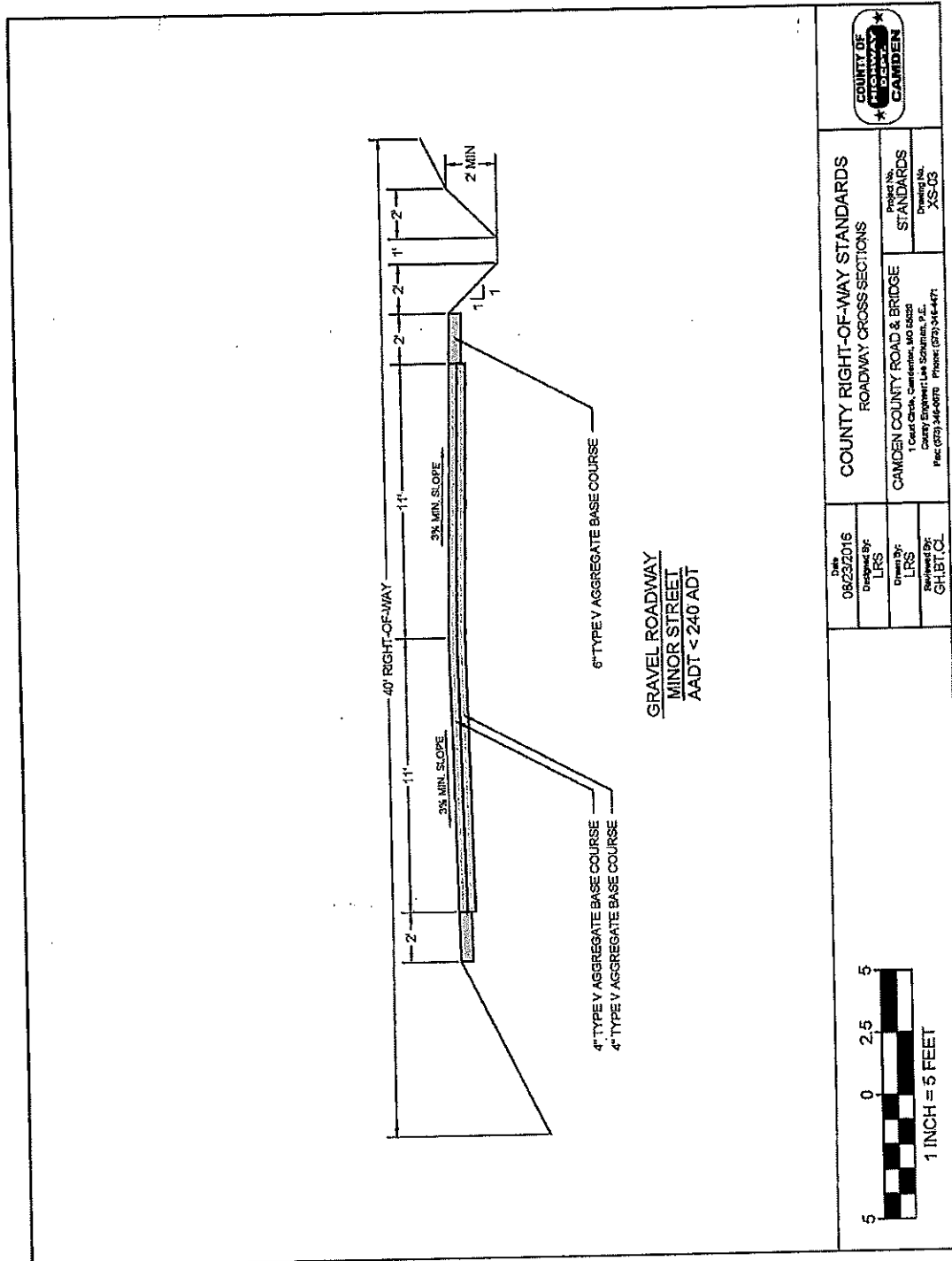
<div> <div> COUNTY OF DELAWARE CAMDEN </div> </div>		COUNTY RIGHT-OF-WAY STANDARDS ROADWAY CROSS SECTIONS	
Date 08/23/2016	Designed By LRS	CAMDEN COUNTY ROAD & BRIDGE 1 Court Circle, Camden, MD 20620 County Engineer: Lee Schuman, P.E. Fax: (203) 346-0070 Phone: (203) 346-4471	Project No. STANDARDS Drawing No. XS-01
Drawn By LRS		Reviewed By GH:BT/CL	



COUNTY RIGHT-OF-WAY STANDARDS
ROADWAY CROSS SECTIONS

Project No. STANDARDS
Camden County Road & Bridge
Camden County, Camden, NJ 08102
County Engineer: Lee Schmitt, P.E.
Fax: (856) 346-0070 Phone: (856) 346-4471

Date: 08/23/2016
Designed by: LRS
Drawn by: LRS
Reviewed by: GHBTOL



ARTICLE 1100: INFRASTRUCTURE STANDARDS

SECTION 1101 – EASEMENTS

1. In any case in which a developer installs or causes the installation of water, sewer, electrical power, telephone, cable television, or other utility facility and intends that such facilities shall be owned, operated, or maintained by a public utility, or any entity other than the developer, the developer shall transfer to such utility or entity the necessary ownership or easement rights to enable the utility or entity to operate and maintain such facilities.
2. All Minor, Major, Multiple-Use, Planned Unit Developments, or any other development that involves a recorded final plat shall provide the following utility easements:
 - a. Along any State, County, Private, or Subdivision road a fifteen (15) foot wide utility easement shall be established. Where the development is located on both sides of a road right-of-way, the utility easements shall be located on both sides of the roadway.
 - b. Along any side or rear property line, other than those adjacent to a roadway, a minimum of seven and one-half (7½) feet of utility easement shall be established. Where two lots are adjacent, this will create a total utility easement of fifteen (15) feet.
3. In all unsubdivided developments utility easements shall be established by a recorded instrument similar to the requirements of Subsection (2) or it shall be established that the entire common or open space area within the development is available as a general utility easement.
4. No building or structure shall be permitted within the boundaries of any general utility easement. Utility easements that are owned or controlled by a single entity can only be built in with specific permission by that entity.

SECTION 1102 - CONNECTION TO PUBLIC UTILITIES

1. Whenever it is legally possible and practicable in terms of topography to connect a development to public water or sewer by extending lines no more than one thousand (1,000) feet in length, no development requiring water or sewage service may be developed unless connection is made.
 - a. Connection to such water or sewer service is not legally possible if, in order to make the connection, it is necessary to run the connecting lines across property not owned by the developer of the

property to be served by the connection, *and*, after diligent effort, the easement necessary to run the connecting line cannot be reasonably obtained.

- b. Connection to such water or sewer service is not legally possible if, in order to make the connection, it is necessary for the development to be annexed into an incorporated municipality and the developer determines that such annexation is not desired.
2. For purposes of this Article, a development is "served" by public water or sewer service if the public entity that will provide the service confirms by written affidavit that the service is available and shall be required in accordance with Subsection (1) or through an agreement between the developer and the public provider.

SECTION 1103 - SEWAGE DISPOSAL FACILITIES REQUIRED

Every principal use, and every lot within a subdivision or development, shall be served by a sewage disposal system that is adequate to accommodate the reasonable needs of such use, subdivision lot, or development, and that complies with all applicable health and environmental regulations.

1. Primary responsibility for determining whether a proposed development will comply with the standard set forth in this Section often lies with an agency other than the County, and the developer must comply with the detailed standards and specifications of such other agency. The relevant agencies are listed in Subsection (2). Whenever any such agency requires detailed construction or design drawings before giving its official approval to the proposed sewage disposal system, the permitting authority may rely upon a preliminary review by such agency of the basic design elements of the proposed system. However, construction of such system may not be commenced until the detailed plans and specifications have been reviewed and any appropriate permits issued by the applicable agency.
2. In the following table, the column on the left describes the type of development and the column on the right indicates the agency that must certify that the sewage disposal system complies with the applicable standards.

IF

Uses within the development are to be served by on-site sanitary facilities

Uses within the development are to be served by a public sewage disposal system.

Uses within the development are to be connected to an existing approved central sewage collection system.

Uses within the development are to be served by a sewage treatment system that has a design capacity of 3,000 gallons or less, and that shall not discharge into the "waters of the state" as defined in 10 CSR 20-2.010.

Uses within the development are to be served by a privately operated sewage system (not previously approved) that has a design capacity in excess of 3,000 gallons or that discharges into "waters of the state."

THEN

Certification by the Camden County permitting authority.

Certification by the public entity, that operates the system, that capacity exists and service is available.

Certification by the owning entity and the Missouri Department of Natural Resources (MDNR).

Certification by Camden County for developments involving less than 15 dwelling units or lots.

- or -

For 15 or more dwelling units or lots certification must be by MDNR.

Certification by MDNR

3. Developments or subdivisions proposed with lots, any of which contain less than two (2) acres shall be connected to a public or central sewer collection system.
4. Wastewater disposal systems shall be provided in accordance with an approved engineering report and a construction permit (or permit sign-off) must be obtained from the applicable wastewater system permitting entity (e.g., MDNR).

SECTION 1104 - WATER SUPPLY FACILITIES REQUIRED

Every principal use and every lot within a subdivision or development shall be served by a water supply system that is adequate to accommodate the reasonable needs of such use, subdivision lot, or development, and that complies with all applicable health and environmental regulations.

1. Primary responsibility for determining whether a proposed development will comply with the standard set forth in this Section often lies with an agency other than the County, and the developer must comply with the detailed standards and specifications of such other agency. The relevant

agencies are listed in Subsection (2). Whenever any such agency requires detailed construction or design drawings before giving its official approval to the proposed sewage disposal system, the permitting authority may rely upon a preliminary review by such agency of the basic design elements of the proposed system. However, construction of such system may not be commenced until the detailed plans and specifications have been reviewed and any appropriate permits issued by the applicable agency.

2. In the following table, the column on the left describes the type of development and the column on the right indicates the agency that must certify that the water supply system complies with the applicable standards.

<u>IF</u>	<u>THEN</u>
Uses within the development are served by on-site private wells (1-3 dwellings)	Certification by Missouri Department of Natural Resources (MDNR)
Uses within the development are to be served by simple connection to a public water supply system	Certification by the public entity that operates the water system
Uses within the development are to be served by a public water system, but the developer will be responsible for installing the internal distribution system	Certification by the public entity that will operate the water system and by MDNR
Uses within the development are to be connected to an existing previously approved central water system	Certification by the owning entity and MDNR that capacity is sufficient
Uses within the development are to be served by a central system that has not been previously approved	Certification by MDNR

3. Notwithstanding the foregoing provisions, a subdivision and/or development shall be provided with a complete water supply and distribution system, connected to a county water supply, public water supply district, community water supply, or a single well and distribution system meeting the requirements of the Missouri Department of Natural Resources (MDNR) and the Missouri Department of Health and Senior Services (MO DHSS).

SECTION 1105 - LIGHTING STANDARDS

1. All public streets (particularly intersections), sidewalks, parking lots, and other common areas and facilities in Major or Multiple-Use subdivisions created after the effective date of the Unified Land-Use Code shall be sufficiently illuminated to ensure the security of property and the safety of persons using such facilities.
2. All roads, driveways, sidewalks, parking lots, and other common areas and facilities in unsubdivided developments shall be sufficiently illuminated to ensure the security of property and the safety of persons using such facilities.
3. All entrances and exits in substantial buildings used for nonresidential purposes and in three or more multiple-family residential structures shall be adequately lighted to ensure the safety of persons and the security of the buildings.
4. Lighting within any lot or for any use that excessively illuminates any other lot or use and substantially interferes with the use or enjoyment of such other lot or use is prohibited. Lighting unnecessarily illuminates another lot or use if it clearly exceeds the standards of this Section, or if the standards of this section could be reasonably achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.
5. In addition to the lighting requirements above (1105(1) – (4)), the specific lighting requirements listed below apply to the following types of exterior lighting: (1) fixed lighting, including, but not limited to, lighting mounted on a building, pole, or the ground, and (2) vehicle-mounted or other portable lighting used to illuminate a building exterior or exterior area, or to cast light into the sky (such as a search light or beam):
 - a. **Lighting – height:** building-mounted lighting shall not exceed the building height by more than five feet. Pole or ground mounted lighting shall not exceed 25 feet in height.
 - b. **Lighting – maximum level:** except where federal, state, or county safety regulations require otherwise, any exterior lighting shall (1) be downcast, (2) be shielded, and (3) not cast direct light onto an adjacent public road or onto adjacent Residential Property. (This requirement is not intended to prohibit a sign that consists of one or two illuminated vertical surfaces.)
 - c. **Lighting – minimum level:** between dusk and dawn, the following areas shall be lit to adequately protect the safety of persons using

the areas: (1) nonresidential parking areas during hours of use by the public, and (2) all service roads and walkways within a manufactured home park.

SECTION 1106 - ELECTRIC POWER

Every principal use and every lot within a subdivision or development shall have available to it a source of electric power adequate to accommodate the reasonable needs of such use, subdivision lot, or development. Compliance with this requirement shall be determined as follows:

1. If the Use is not a subdivision and is located on a lot that is served by an existing power line and the use can be served by a simple connection to said power line (as opposed to a more complex distribution system, such as would be required for an condominium complex or shopping center), then no further certification is required.
2. If the use is a subdivision, multiple-use development, or is not located on a property served by an existing power line, or a substantial internal distribution system will be necessary, then the utility service provider must review the proposed plans and certify to the County that it can provide service that is adequate to meet the needs of the proposed use, subdivision lot, or development.

SECTION 1107 - TELEPHONE SERVICE

Every principal use and every lot within a subdivision or development must have available to it a telephone service cable adequate to accommodate the reasonable needs of such use, subdivision lot, or development. Compliance with this requirement shall be determined as follows:

1. If the Use is not a subdivision and is located on a lot that is served by an existing telephone line and the use can be served by a simple connection to said telephone line (as opposed to a more complex distribution system, such as would be required for an condominium complex or shopping center) then no further certification is required.
2. If the use is a subdivision, multiple-use development, or is not located on a property served by an existing telephone line or a substantial internal distribution system will be necessary, then the Telephone utility provider must review the proposed plans and certify to the County that it can provide service that is adequate to meet the needs of the proposed use, subdivision lot, or development.

SECTION 1108 - UNDERGROUND AND COORDINATION OF UTILITIES

1. All electric power lines (not to include transformers or enclosures containing electrical equipment including, but not limited to switches, meters, or capacitors, which may be pad mounted), telephone lines, gas distribution, cable television lines, sewer, water, and other utility lines, in subdivisions and developments constructed after the effective date of the Unified Land-Use Code will be placed underground in accordance with the specifications and policies of the respective utility service provider.
2. Whenever an unsubdivided development is hereafter constructed on a property that is undeveloped on the effective date of these regulations, then all utility lines installed to serve the development that are located on the development site outside of a previously existing public street right-of-way shall be placed underground in accordance with the specifications and policies of the respective utility companies.
3. Whenever it can be reasonably anticipated that utility facilities constructed in one development will be extended to serve other adjacent or nearby developments, such facilities (such as water or sewer lines) shall be located and constructed so that extensions can be made conveniently and without undue burden or expense or unnecessary duplication of service.
4. All utility facilities shall be constructed in such a manner as to minimize interference with pedestrian or vehicular traffic and to facilitate maintenance without undue damage to improvements or facilities located within the development.
5. Whenever a developer installs or causes to be installed any utility line that will be within or cross a public right-of-way, the developer shall contact the affected public entity for permission to do so. Additionally as soon as practicable after installation is complete, and before any water or sewer line is certified as approved, furnish the public entity with a copy of such plans as will demonstrate the exact location of such utility lines. The as-built drawings and plans must be verified as accurate by the utility service provider. Compliance with this requirement shall be a condition of the continued validity of the permit authorizing such development.

SECTION 1109 - FIRE HYDRANTS

1. Every development (subdivided or unsubdivided) that is served by a public water system with sufficient fire-flow shall include a system of fire hydrants sufficient to provide adequate fire protection for the buildings located, or intended to be located, within the development. To satisfy this requirement, fire hydrants must be located so that all parts of every building within the development may be served by not laying more than

600 feet of hose to such a hydrant. However, in a location that has an established fire district, the fire chief may authorize or require a deviation from this standard if in his professional opinion another arrangement will more adequately provide for public safety.

2. In developments that are served by public water systems without sufficient fire-flow to support a fire hydrant system or a central water system, provision shall be made to accommodate tanker trucks. To satisfy this requirement a tanker truck access point (with appropriate connection) shall be established for every 25 residential dwelling units in the development that will have sufficient capacity to serve this function. The use of dry hydrants or other options is possible based on recommendation by either the Fire District Fire Chief or a Certified Engineer.
3. In developments that are served by individual private wells there is no requirement for fire hydrants or tanker truck re-filling locations if the development has less than fifteen (15) dwelling units. Developments with fifteen (15) or more dwelling units shall meet the standard established in Subsection (2).

ARTICLE 1200: PARKING STANDARDS

Section 1201 - Definitions

Unless otherwise specifically provided or unless clearly required by the context, the words and phrases defined below shall have the meaning indicated when used in this section.

1. **Circulation Area:** That portion of the vehicle accommodation area used for access to parking or loading areas or other facilities on the lot. Essentially, driveways and other maneuvering areas (other than parking aisles) comprise the circulation area.
2. **Driveway:** That portion of the vehicle accommodation area that consists of a travel lane bounded on either side by an area that is not part of the vehicle accommodation area.
3. **Gross Floor Area:** The total interior area of all floors of a building or structure, measured to the inside face of the exterior walls of said building or structure.
4. **Loading and Unloading Area:** That portion of the vehicle accommodation area used to satisfy the requirements of Section 1302.
5. **Vehicle Accommodation Area:** That portion of a lot that is used by vehicles for access, circulation, parking, loading, and unloading. It comprises the total of circulation areas, loading and unloading areas, and parking areas (spaces and aisles).
6. **Parking Area Aisles:** That portion of the vehicle accommodation area consisting of lanes providing access to parking spaces.
7. **Parking Space:** A portion of the vehicle accommodation area set for the parking of one vehicle.

SECTION 1202 - NUMBER OF PARKING SPACES REQUIRED

1. All developments in all zoning districts shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question.
2. The presumptions established by this article are that: (i) any and all developments must comply with the parking standards set forth in Subsection (5); and (ii) any development that does meet these standards is in compliance. However, the Table of Parking Requirements is only intended to

establish a presumption and should be flexibly administered, as provided in Section 1203.

3. Uses in the Table of Parking Requirements (Subsection (5)), are indicated by direct references to Article VIII. When determination of the number of parking spaces required by this table results in a requirement of a fractional space, any fraction of one-half or less may be disregarded, while fractions in excess of one-half shall be counted as one parking space.
4. Camden County recognizes that the Table of Parking Requirements set forth in Subsection (5) cannot and does not cover every possible situation that may arise. Therefore, in cases not specifically covered the permit issuing authority is authorized to determine the parking requirements using this table as a guide.
5. Table of Parking Requirements:

Use	Parking Requirement
Single-family dwellings, site-built, and modular homes	2 spaces per dwelling unit plus one space per room rented out.
Two family dwellings	2 spaces for each dwelling unit, except that one-bedroom units require only one space.
Multi-family dwellings	2 spaces for each dwelling unit plus 1 space for any lockout bedroom.
Nursing, rest or convalescent home	3 spaces for every five beds except for uses exclusively serving children under 16, in which case 1 space for every three beds shall be required.
Bed and breakfast, hotels, & motels	2 spaces for the resident unit plus 1 space for each room to be rented plus any additional space for restaurant or other facilities.
Home occupations	4 spaces for offices of physicians or dentists; 2 spaces for attorneys, 1 space for all other.
Convenience stores and adult bookstores	1 space per 150 square feet of gross floor area.
Sales and rental of goods, merchandise, and equipment, wholesale sales	1 space per 400 square feet of gross floor area.
Offices	1 space per 200 square feet of gross floor area.
Banks	1 space per 200 square feet of area within main building plus reservoir land capacity equal to 5 spaces per drive-thru window (10 spaces if window serves two stations).

Use	Parking Requirement
Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembly of goods, merchandise and equipment and similar uses	1 space per 400 square feet of gross floor area.
Educational uses	2 spaces per classroom in elementary schools, 5 spaces per classroom in high schools.
Educational institutions	1 space per 150 square feet of gross floor area.
Churches and other religious worship centers	1 space for every four seats in the portion of the church building to be used for services plus spaces for any residential use as determined in accordance with the parking requirements set forth above for residential uses plus 1 space for every 200 square feet of gross floor area designed to be used neither for services nor residential purposes.
Philanthropic uses and fraternal or private clubs	1 space per 300 square feet of gross floor area.
Recreational, amusement, and entertainment facilities	1 space for every three persons that the facilities are designed to accommodate when fully utilized (if they can be measured in such a fashion—example, tennis courts or bowling alleys) plus 1 space per 200 square feet of gross floor area used in a manner not susceptible to such calculation.
Indoor movie theater	1 space for every four seats.
Miniature golf course, driving ranges, skateboard park, water slide, and similar uses	1 space per 300 square feet of area plus 1 space per 200 square feet of building gross floor area; Driving range – 1 space per tee plus 1 space per 200 square feet in building gross floor area; Par Three Course - 2 spaces per golf hole plus 1 space per 200 square feet of building gross floor area.
Boarding stable	1 space per horse that could be kept at the stable when occupied to maximum capacity.
Hospital	2 spaces per bed or 1 space per 150 square feet of gross floor area, whichever is greater.
Restaurants, bars, and nightclubs	1 space per 100 square feet of gross floor area, plus 1 space for every four outside seats and reservoir lane capacity equal to 5 spaces per drive-in window.
Adult cabaret	1 space per 100 square feet of gross floor area.

Use	Parking Requirement
Motor vehicle related sales, rental, services to include installation of parts, repair, maintenance, as well as mobile home sales, all-terrain vehicle sales and service	1 space per 200 square feet of gross floor area.
Convenience stores with the sale of gas	1 space per 200 square feet of gross floor area of building devoted primarily to gas sales operation, plus sufficient parking area to accommodate vehicles at pumps without interfering with other parking spaces.
Self storage units	1 space for every two employees on the maximum shift but not less than 1 space per 5,000 square feet of area devoted to storage (whether inside or outside).
Veterinarian clinics and Kennels	1 space per 200 square feet of gross floor area.
Laundromats and dry Cleaners	1 space per 200 square feet of gross floor area.
Open air markets	1 space per 1,000 square feet of lot area used for storage, display, or sales.
Funeral Homes	1 space per 100 square feet of gross floor area.
Preschool and/or daycare facilities	1 space per employee plus 1 space per 200 square feet of gross floor area.
Bus station	1 space per 200 square feet of gross floor area.
Commercial greenhouse, farm and produce markets with on premise sales	1 space per 200 square feet of gross floor area.
Marina / Boat Dock	1 space per 3 boat stalls or slips.

SECTION 1203 - FLEXIBILITY IN ADMINISTRATION REQUIRED

1. The Planning Commission recognizes that, due to the particularities of any given development, the inflexible application of the parking standards set forth Subsection 1202 (5) may result in a development either with inadequate parking space or parking space far in excess of its needs. The former situation may lead to traffic congestion or parking violations in adjacent streets, as well as unauthorized parking in nearby private lots. The latter situation wastes money as well as space that could more desirably be used for valuable development or environmentally useful open space. Therefore, as suggested in Section 1202, the Planning Administrator may permit deviations from the presumptive requirements of Subsection 1202 (5) and may require more parking or allow less parking whenever he or she finds that such deviations are more likely to satisfy the standard set forth in Subsection 1202 (5). For

example, the Planning Administrator may allow adjacent boat slips to be counted as a parking space up to a total of twenty percent (20%) of the required spaces for that use.

2. Without limiting the generality of the foregoing, the permit issuing authority may allow deviations from the parking requirements set forth in Subsection 1202 (5) when it finds that:
 - a. A residential development is irrevocably oriented toward the elderly; and/or
 - b. A business is primarily oriented to walk-in trade.

SECTION 1204 - PARKING SPACE DIMENSIONS

1. Subject to Subsections (b) and (c), each parking space shall contain a rectangular area at least 19 feet long and 9 feet wide. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles, so long as the parking spaces so created contain within them the rectangular area required by this section. Residential developments with the permitted land-uses; single family dwellings one dwelling unit per lot including site-built homes, modular homes, and class A and B mobile homes, need not have each parking space demarcated with lines.
2. In parking areas containing 10 or more parking spaces, up to 20 percent of the parking spaces need contain a rectangular area of only 8-feet in width by 16-feet in length. If such spaces are provided, they shall be conspicuously designated as reserved for small or compact cars only.
3. Wherever parking areas consist of spaces set aside for parallel parking, the dimensions of such parking spaces shall be not less than 22 feet by 9 feet.

SECTION 1205: REQUIRED WIDTHS OF PARKING AREA AISLES AND DRIVEWAYS

1. Parking area aisle widths shall conform to the following table, which varies the width requirement according to the angle of parking:

Aisle Width	0°	30°	45°	60°	90°
One Way Traffic	13'	11'	13'	18'	24'
Two Way Traffic	19'	20'	21'	23'	24'

2. Driveways shall not be less than 10 feet in width for one-way traffic and 18 feet in width for two-way traffic, except that 10-foot-wide driveways are permissible for two-way traffic when (i) the driveway is not longer than 50 feet, (ii) it provides access to not more than 6 spaces, and (iii) sufficient turning space is provided so that vehicles need not back into a public street.

SECTION 1206: GENERAL DESIGN REQUIREMENTS

1. Unless no other practicable alternative is available, vehicle accommodation areas shall be designed so that, without resorting to extraordinary movements, vehicles may exit such areas without backing onto a public street. This requirement does not apply to parking areas consisting of driveways that serve one or two dwelling units, although backing onto arterial streets is discouraged.
2. Vehicle accommodation areas of all developments shall be designed so that sanitation, emergency, and other public service vehicles can serve such developments without the necessity of backing unreasonable distances or making other dangerous or hazardous turning movements.
3. Every vehicle accommodation area shall be designed so that vehicles cannot extend beyond the perimeter of such area onto adjacent properties or public rights-of-way. Such areas shall also be designed so that vehicles do not extend over sidewalks or tend to bump against or damage any wall, vegetation, or other obstruction.
4. Circulation areas shall be designed so that vehicles can proceed safely without posing a danger to pedestrians or other vehicles and without interfering with parking areas.

SECTION 1207: VEHICLE ACCOMMODATION AREA SURFACES

1. Vehicle accommodation areas that (i) include lanes for drive-in windows or (ii) contain parking areas that are required to have more than 10 parking spaces and that are used regularly at least five days per week shall be graded and surfaced with asphalt, concrete, or other hard surface material that will provide adequate equivalent protection against potholes, erosion, and dust.
2. Vehicle accommodation areas that are not provided with the type of surface specified in Subsection (a) shall be graded and surfaced with crushed stone, gravel, or other suitable material to provide a surface that is stable and will help to reduce dust and erosion. The perimeter of such parking areas shall be defined by bricks, large stones, railroad ties, or other similar devices. In addition, whenever such vehicle accommodation area abuts a paved street, the driveway leading from such street to such area (or, if there is no driveway, the portion of the vehicle accommodation area that opens onto such streets)

shall be paved as provided in Subsection (a) for a distance of 15 feet back from the edge of the paved street, or to the edge of the right-of-way, whichever is greater. This subsection shall not apply to single-family residences or other uses that are required to have only one or two parking spaces.

3. Parking spaces in areas with surfaces in accordance with Subsection (a) shall be appropriately demarcated with painted lines or other markings. Parking spaces in areas surface in accordance with Subsection (b) shall be demarcated whenever practicable.
4. Vehicle accommodation areas shall be properly maintained in all respects. In particular, and without limiting the foregoing, vehicle accommodation area surfaces shall be kept in good condition (free from potholes, etc.) and parking space lines or markings shall be kept clearly visible and distinct.

SECTION 1208: JOINT USE OF REQUIRED PARKING SPACES

1. One parking area may contain required spaces for several different uses, but except as otherwise provided in this section, the required space assigned to one use may not be credited to any other use.
2. To the extent that developments wishing to make joint use of the same parking spaces operate at different times, the same spaces may be credited to both uses. For example, if a parking lot is used in connection with an office building on Monday through Friday but is generally 90 percent vacant on weekends, another development that operates only on weekends could be credited with 90 percent of the spaces on that lot. Or, if a church parking lot is generally occupied only to 50 percent of capacity on days other than Sunday, another development could make use of 50 percent of the church lot's spaces on those other days.
3. If the joint use of the same parking spaces by two or more principal uses involves satellite parking spaces, then the provisions of Section 1309 are also applicable.

SECTION 1209: SATELLITE PARKING

1. If the number of off-street parking spaces required by these regulations cannot reasonably be provided on the same lot where the principal use associated with these parking spaces is located, then spaces may be provided on adjacent or nearby lots in accordance with the provisions of this section. These off-site spaces are referred to in this section as satellite parking spaces.

2. Satellite parking spaces (except spaces intended for employee use) must be located within a reasonable distance of a public entrance of a principal building housing the use associated with such parking, or within a reasonable distance of the lot on which the use associated with such parking is located if the use is not housed within any principal building.
3. The developer wishing to take advantage of the provisions of this section must present satisfactory written evidence that he has the permission of the owner or other person in charge of the satellite parking spaces to use such spaces. The developer must also sign an acknowledgment that the continuing validity of his permit depends upon his continuing ability to provide the requisite number of parking spaces.

SECTION 1210: SPECIAL PROVISIONS FOR LOTS WITH EXISTING BUILDINGS

Notwithstanding any other provisions of these regulations, whenever (i) there exists a lot with one or more structures on it constructed before the effective date of these regulations; and (ii) a change in use that does not involve any enlargement of a structure is proposed for such lot; and (iii) the parking requirements of Section 1202 that would be applicable as a result of the proposed change cannot be satisfied on such lot because there is not sufficient area available on the lot that can practicably be used for parking, then the developer need only comply with the requirements of Section 1202 to the extent that (i) parking space is practicably available on the lot where the development is located; and (ii) satellite parking space is reasonably available as provided in Sections 1202 and 1204. However, if satellite parking subsequently becomes reasonably available, then it shall be a continuing condition of the permit authorizing development on such lot that the developer shall obtain satellite parking when it does become available.

SECTION 1211: LOADING AND UNLOADING AREAS

1. Subject to Subsection (e), whenever the normal operation of any use requires that goods, merchandise, or equipment be routinely delivered to or shipped from that development, a sufficient off-street loading and unloading area must be provided in accordance with this section to accommodate the delivery or shipment operations in a safe and convenient manner.
2. The loading and unloading area must be of sufficient size to accommodate the numbers and types of vehicles that are likely to use this area, given the nature of the development in question. The following table indicates the number and size of spaces that, presumptively, satisfy the standard set forth in this subsection. However, the permit issuing authority may require more or less loading and unloading area if reasonably necessary to satisfy the foregoing standard.

Gross Area of Building (in square feet)	Number of Spaces*
1,000-19,999	1
20,000-79,999	2
80,000-127,999	3
128,000-191,999	4
192,000-255,999	5
256,000-319,999	6
320,000-391,000	7
Plus one (1) space for each additional 72,000 square feet or fraction thereof.	

* Minimum dimensions of 12 feet x 55 feet and overhead clearance of 14 feet from street grade required.

3. Loading and unloading areas shall be so located and designed that the vehicles intended to use them can (i) maneuver safely and conveniently to and from a public right-of-way, and (ii) complete the loading and unloading operations without obstructing or interfering with any public right-of-way or any parking space or parking lot aisle.
4. No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.
5. Whenever (i) there exists a lot with one or more structures on it constructed before the effective date of these regulations, and (ii) a change in use that does not involve any enlargement of a structure is proposed for such lot, and (iii) the loading area requirements of this section cannot be satisfied because there is not sufficient area available on the lot that can practicably be used for loading and unloading, then the developer need only comply with this section to the extent reasonably possible.

ARTICLE 1300: AMENDMENTS

SECTION 1301 - AMENDMENTS IN GENERAL

Amendments to the text of the Unified Land-Use Code or to the Zoning Map may be made in accordance with the provisions of this Code and in compliance with Missouri law. See e.g., RSMo Section 64.645.

SECTION 1302 - INITIATION OF AMENDMENTS

1. Whenever a request to amend the Unified Land-Use Code or the Zoning Map is initiated by the County Commission, The Planning Commission, or the Board of Adjustment, the Planning Administrator, in consultation with legal counsel, shall draft the appropriate language and present it to the Planning Commission so that a date for the public hearing may be established. The decision by the Planning Commission concerning such amendment to the Code or Zoning Map will then be sent to the County Commission in the form of a recommendation. The County Commission will address the issue and render a final decision.
2. Any other person may also petition for an amendment to the Unified Land-Use Code or the Zoning Map. The petition shall be filed with the Planning Administrator and shall include at a minimum the following information:
 - a. A completed application using forms provided by the Planning Administrator.
 - b. A legal description of the land affected by the amendment if a change in the zoning district classification is proposed. The description must also include what the proposed map change is currently zoned, or if it is currently unzoned.
 - c. A description or summary of the specific objective of any proposed change in the text of this regulation.
 - d. All required fees to enable the public notification by publication and/or to send a mailing notice to all owners of real property, as required by State Statutes.
3. Upon receipt of a petition or formal request to amend provision(s) of this Code, the Planning Administrator shall either:
 - a. Treat the proposed amendment of this Code as one initiated by the County and proceed in accordance with Subsection (1) of Section

1302 above if he believes the proposed amendment has significant merit and would benefit the general public; or

- b. Forward the petition to the County Commission with or without comment for a determination of whether the Code amendment should be drafted and a public hearing process begun).
4. Upon receipt of a petition for amendment of this Code, the County Commission may remand the issue to the Planning Commission for a public hearing process in accordance with this Code and Missouri law.

SECTION 1303 - PLANNING COMMISSION CONSIDERATION OF AMENDMENTS

1. The Planning Commission, through a public hearing process, shall address any proposed amendment to the Unified Land-Use Code or the Zoning Map.
2. The Planning Commission shall endeavor to review the proposed amendment in a timely manner and make a recommendation concerning the amendment to the County Commission. The Planning Commission may continue this review process by continuing the public hearing(s) as is deemed necessary.

SECTION 1304 - PUBLIC HEARING NOTICES

1. No change that amends any of the provisions of the Unified Land-Use Code or the Zoning Map may be adopted until a public hearing has been held on such amendment.
2. Once the Planning Administrator has received or been directed to arrange the public hearing process the following public notices shall be done:
 - a. Publication of a public notice describing the request in a newspaper of general County circulation a minimum of 15-days prior to the scheduled hearing date. Notice should not be advertised more than 25-days prior to the public hearing.
 - b. Mailing of a public hearing notice by certified mail to all owners of real property within 1000 feet of the property. The notice will be mailed a minimum of 15-days prior to the scheduled hearing date.
 - c. Depending on the circumstances of the case a posted public notice at the site of the affected property may or may not be required. The decision whether or not to post a notice will be made by the Planning Administrator.

3. All such public notices shall at a minimum include the following:
 - a. Date, time, and place of the public hearing.
 - b. Summarize the nature and character of the proposed change.
 - c. If the proposed amendment involves a change in zoning district it must reasonably identify the property that would be affected.
 - d. State that the full text of the amendment and/or the applicable case file(s), if any, can be viewed at or obtained from the Planning Department offices.
4. The administrator shall make every reasonable effort to comply with the notice provisions set forth in this Code.

SECTION 1305 - COUNTY COMMISSION ACTIONS ON AMENDMENTS

At the conclusion of the public hearing held by the Planning Commission on a proposed amendment, the County Commission may proceed to render a decision, refer the issue to a committee for further review, or take any other action consistent with its rules of procedure.

SECTION 1306 - PROTESTS TO ZONING DISTRICT CHANGES

In case of written protest against any proposed change or amendment, signed and acknowledged by owners of thirty percent (30%) of the frontage within one thousand (1,000) feet to the right or left of the frontage proposed to be changed, or by the owners of thirty percent (30%) of the frontage directly opposite, or directly in the rear of the frontage proposed to be altered, or in cases where the land affected lies within one and one-half (1 ½) miles of the corporate limits of a municipality having in effect Codes zoning property within the corporate limits of such municipality, made by resolution of the City council or board of trustees thereof, and filed with the county clerk, such amendment may not be passed except by the favorable vote of two-thirds (2/3rds) of all the members of the County Commission.

APPENDIX A: PLAT STANDARDS

A-1: SKETCH PLAN

The minimum informational standards for a sketch plan are as follows:

1. Must be drawn to an approximate scale.
2. Section / Township / Range.
3. Current Zoning.
4. Approximate north arrow.
5. Approximate property boundary.
6. Principal features within 1,000 feet (roads/lake/streams/etc.).
7. Complete rights-of-way of existing and adjacent streets.
8. Unique topographic and physical features.
9. Proposed street layout.
10. Proposed lot layout.
11. Approximate location of driveway and road access points.
12. Description of proposed water supply.
13. Description of proposed wastewater disposal facilities.
14. Proposed changes to drainage ways.

A-2: PRELIMINARY PLAT

The minimum informational standards for a preliminary plat are as follows:

1. Must be drawn to a convenient scale.
2. Propose subdivision name.
3. Name (s) and address (s) of owner (s) / developer (s).
4. A concise summary of the following: (on the plat).

- a. Total gross acreage.
 - b. Total number of lots.
 - c. Current zoning.
 - d. Proposed land-uses.
 - e. Largest, smallest, and average lot sizes.
 - f. Date plat was drawn.
5. Location map showing the general boundaries of the proposed development and all other roads, municipal boundaries and significant drainage features within 1,000 feet.
6. Approximate tract boundaries.
7. Legal description of the tract boundary.
8. Contours at a minimum of five (5) foot vertical intervals except for steeply sloping land where other intervals may be necessary.
9. Names of all owners of all immediately adjacent unplatted land and the names of all existing subdivisions adjacent to the project.
10. General location and approximate dimensions of the proposed lot layout and any proposed easements for infrastructure (water, sewer, stormwater).
11. General location and approximated dimensions of any existing street right-of-ways or easements within or adjacent to the tract boundaries.
12. The full development plan, shown on a single sheet if possible, detailing the following:
 - a. Location of all proposed and existing streets, roads, easements, parks, playgrounds, and other public areas and facilities.
 - b. Phasing plan (if applicable) showing the area and extent of each phase.
 - c. Significant areas of land grading (cut, fill, and grading).

13. Any other reports, studies, evaluations, or submittals as required by any other reviewing agencies. For example: detailed soil study, geologic report, traffic study, floodplain mapping, etc.
14. Information concerning any improvements abutting the Lake of the Ozarks such as docks, seawalls, or shoreline amendments.

A-3: FINAL PLAT

The minimum standards for a final plat to be accepted for recording include:

1. The name of the subdivision, which name shall not duplicate the name of any existing subdivision as recorded in the County Recorder of Deeds Office.
2. Directly beneath the subdivision name there will be an abbreviated legal description including: $\frac{1}{4}$ Section, $\frac{1}{4}$ Section, Section, Township, Range, Principal Meridian, and the County and State where the subdivision is located.
3. The name (s) and address (s) of owner (s) / developer (s).
4. The name of the surveyor and his registration number and the date of the survey.
5. The scale to which the plat is drawn in feet per inch or scale ratio in words or figures and bar graph.
6. All information required for a subdivision survey as defined in in 20 CSR 2030-16, "Minimum Standards for Property Boundary Surveys".
7. The exterior boundaries of the platted area giving lengths and bearings of the boundary lines. If the subdivision is bounded by a watercourse, a closing meander traverse of that boundary shall be made and shown on the plat. Where curving boundaries are used, sufficient data to establish the boundary on the ground shall be given, including the curve's radius, central angle, and arc length.
8. All existing monuments found during the course of the survey, including a physical description, such as "brass cap".
9. All monuments set during the course of the survey including a physical description.

10. All existing easements or rights-of-way, including those contiguous to the platted area, their nature, width, and the book and page number of their recording in the counties records.
11. References to adjoining parcels by plat or book and page number of their recording in the counties records.
12. All lots, blocks, rights-of-way, and easements created by the subdivision with their boundary, bearings, lengths, widths, name, number, or purpose. For curved boundaries, the curve radius, central angle, and length of arc shall be given.
13. In a summary table on the plat the following information will be listed:
 - a. Total area of the subdivision.
 - b. Total acreage in lots.
 - c. Total acreage in road right-of-way.
 - d. Total acreage in common, open, or natural areas.
 - e. Zoning District (s).
14. A vicinity or location map locating the subdivision within the section, identifying adjoining or nearby subdivisions and showing prominent landmarks.
15. All required certificates as referenced in Subsection A-4.
16. All required signature blocks as referenced in Subsection A-4.
17. Every plat shall contain the following information:
 - a. Full legal description of the subdivision boundary.
 - b. North Arrow and basis of bearings used.
 - c. Any special districts, covenants and restrictions on the property, including but not limited to access restrictions, use or deed restrictions, special buffer zones or riparian corridors, airport height restrictions or vertical conical height limitations, or underground use or plat vertical limits.
 - d. The area of each lot either in a separate listing or labeled on the lot.

- e. Clear dark delineations of boundary lines.
- f. Parking areas and other such common areas.
- g. Building Setback lines (Front yard and Side Corner Yards must be graphically represented on the lots, but other Side Yard and Rear Yards can be labeled generally).
- h. Show the 1% Special Flood Hazard Area (SFHA) (100-year floodplain) plotted as shown by the current Federal Emergency Management Agency flood insurance rate map (FIRM) as adopted by Camden County.

A-4: CERTIFICATES - SIGNATURE BLOCKS - ENDORSEMENTS

1. The owner's certificate of consent, including reference to the legal description of the subdivision's boundaries and the dedication of public ways or spaces. This certificate shall be signed, dated, and notarized. If the owner is an entity such as a corporation either the corporate seal or a "no seal" representation must be included on the plat.

I hereby certify that I am the owner of, "*Subdivision Name*" the property described by legal description hereon, which property is located within the jurisdiction of the Camden County Lake District Planning Area, that I hereby freely adopt this plan of subdivision and dedicate to public use all areas shown on this plat as streets, walks, parks, open space, and easements, except those specifically indicated as private, and I or my assigns will maintain all such areas until the offer of dedication is accepted by the appropriate public authority. All property shown on this plat as dedicated for a public use shall be deemed to be dedicated for any other public use authorized by law when such other use is approved by the Camden County Commission in the public interest.

Owner (s) Signature and Date
(Notarized)

2. A certificate of consent from any and all mortgagors, lien-holders, or others with a real property interest in the subdivision. These certificates shall be signed, dated, and notarized. No sample certification is provided.
3. The certificate of approval prepared for the dated signature of the Planning Administrator:

I _____, Planning & Zoning Administrator for Camden County, Missouri, do hereby certify that the accompanying plat has been reviewed for compliance with the adopted, Unified Land-Use Regulations for the Camden County's Lake District Planning Area jurisdiction, and is hereby approved for recording by the Planning Commission of said County, subject to its being recorded in the County Recorder of Deed's office within 60 days of the date below.

County Seal

Planning Director's Signature and Date

4. A certificate showing the name and registration number of the surveyor (including seal) responsible for making the survey. This certificate shall be signed and dated.

I hereby certify that this plat (drawn by me) (drawn under my supervision) from (an actual survey made by me) (an actual survey made under my supervision); and that this plat was prepared in accordance with the current Minimum Standards for Property Boundary Surveys of the Missouri Department of Natural Resources, Division of Geology and Land Survey. Witness my original signature, registration number and seal this _____ day of _____.

Seal or Stamp

Registered Land Surveyor
Registration Number

5. Signature block prepared for the dated signature of the Camden County Recorder of Deeds.

RECORDER OF DEEDS OFFICE REQUESTS A 3" X 5" CLEAR SPACE FOR BOOK AND PAGE, TIME AND SIGNATURE AND SEAL, PLACED AT THE LOWER LEFT OR LOWER RIGHT CORNER OF THE DOCUMENT TO BE RECORDED.

APPENDIX B: INFORMATION REQUIRED WITH APPLICATIONS

B-1: CONTACT OR IDENTIFYING INFORMATION

All applications require sufficient information to identify the applicant and/or property owner as well as provide all necessary contact information. The following is a sample data block that can be used as a guide:

Applicant Name: _____	
Mailing Address: _____	
City / State / Zip+4: _____	
Telephone: _____	Fax Number: _____
E-Mail Address: _____	
Other Contact Information: _____	

If the applicant is not the owner of the property in question then the above information must be included for the owner and the legal relationship of the applicant to the owner must be stated that entitles the applicant to make the application.

B-2: PROPERTY LOCATION AND DESCRIPTION

At a minimum all applications must include the following information describing the subject property and its location:

Parcel Identification Number (TAX ID): _____		
Township _____	Range _____	Section _____
Development Site Address: _____		

Total Acres - _____	Zoning District - _____	
Current Subdivision Name and Lot Number: _____		

B-3: SITE or SKETCH PLAN

All applications require the submittal of a sketch plan drawn to a general scale that at a minimum shows the following information:

1. General layout of the property boundaries shown in plan (overhead) view.
2. General layout and location of all structures as well as their use (residential, storage, commercial, etc.) on the subject property.
3. General location and name of all roads adjacent to the subject property.
4. Approximate dimensions and size of the subject property.
5. All information specific to the permit requested:
 - a. Subdivision of land - Must meet all requirements of Appendix A.
 - b. Variance - Must clearly show the issue to which to Variance request applies (for example setbacks).
 - c. Construction Permits - Must show that setbacks are met.
6. Any other applicable physical feature that has bearing on the request; such as bodies of water, topographic features, or the location of other built facilities.

B-4: PERMIT SPECIFIC INFORMATION

Applications for different kinds of permits often require different information. Most of this necessary data is listed in the Section of the Unified Land-Use Regulations that addresses the specific permit. In general it is incumbent on the applicant to furnish all appropriate information and it shall not be the responsibility of Camden County or its staff to supplement or research any required information. The Administrator may require any applicable information.

B-5: GRAPHIC MATERIALS REQUIRED FOR DEVELOPMENT SITE PLANS

1. The plans shall include a location map, which shows the location of the project in the broad context of the neighborhood in which it lies. This location map may be drawn on the development site plans, or it may be furnished separately using reduced copies of maps of the County, available from the Planning and Zoning Department.
2. Development site plans shall be drawn to scale (except for subdivision sketch plans, which may be only roughly to scale), using such a scale that all features, required to be shown, on the plans are readily discernible. Very large developments may require that plans show the development in sections to accomplish this objective without resort to plans that are so large as to be cumbersome, or the objective may be accomplished by using different plans or plans drawn to different scales to illustrate different features. In all cases, the permit issuing authority shall make the final

determination whether the plans submitted are drawn to the appropriate scale, but the applicant for a Conditional Use Permit may rely in the first instance on the recommendations of the planning staff.

3. Development site plans should show on the first page the following information:
 - a. Name of applicant.
 - b. Name of development (if any).
 - c. North arrow.
 - d. Legend.
 - e. Scale.
4. All of the features required by Sections B-6 and B-7 may be included on one set of plans, so long as the features are distinctly discernible.

B-6: EXISTING NATURAL, MAN-MADE, AND LEGAL FEATURES

1. Development site plans shall show all existing natural, man-made, and legal features on the parcel where development is to take place, including but not limited to those listed below. In addition, the plans shall also show those features that are located within 200 feet in any direction of the parcel where the development is to take place, and shall specify the names of the adjoining property owners.
2. Existing natural features:
 - a. Tree line of wooded areas.
 - b. Orchards or other agricultural groves, along with type of tree or bush featured therein.
 - c. Streams, ponds, drainage ditches, swamps, boundaries of floodways and floodplains.
 - d. Base flood elevation data.
 - e. Contour lines (shown with solid lines), with not larger than 10-foot intervals.
3. Existing man-made features:

- a. Vehicle accommodation areas (including parking areas, loading areas, circulation areas, and types of surfaces, showing the layout of existing parking spaces and direction of travel lanes, aisles, or driveways).
 - b. Streets, private roads, sidewalks and other walkways, all showing types of surfaces.
 - c. Curbs, gutters, and storm drains, if any.
 - d. Other storm water or drainage facilities, including manholes, pipes, and drainage ditches.
 - e. Aboveground and underground utility lines, including water, sewer, electric power, telephone, gas, and cable television.
 - f. Any other utility facilities (substations, generating plants, towers, etc.).
 - g. Fire hydrants.
 - h. Buildings, structures, and signs (including dimensions of each).
 - i. Location of dumpsters (if applicable).
 - j. Location of exterior light fixtures, e.g. dusk-to-dawn lights.
4. Existing legal features:
- a. The zoning district in which the property lies, including district boundary lines, if applicable.
 - b. Property lines (with dimensions shown).
 - c. Street right-of-way lines.
 - d. Utility easement or other easement lines.

B-7: PROPOSED CHANGES IN EXISTING FEATURES OR NEW FEATURES

1. Development site plans shall show proposed changes in (i) existing natural features (see B-6 (2)), (ii) existing man-made features (see B-6 (3)), and (iii) existing legal features (see B-6 (4)).
2. Development site plans shall also show proposed new legal features (especially new property lines, street right-of-way lines, and utility and

other easements), as well as proposed man-made features, including, but not limited to, the following:

- a. The square footage or acreage in every lot created by a new subdivision.
- b. Lot dimensions, including lot widths.
- c. The location of all buildings and free standing signs on the lot, as well as distances each is set back from roads, streets, and property lines.
- d. Principal side(s) building elevations for typical units of new buildings or exterior remodeling of existing buildings, showing building heights and proposed wall sign or window sign area.
- e. The location and dimensions of all recreational areas, with each area designated as to type of use.
- f. Areas intended to remain as usable open space. The plans shall clearly indicate whether such open space areas are intended to be offered for dedication to public use or remain privately owned.
- g. Streets, labeled by classification (See Article 1000) and street name, showing whether curb & gutter or shoulders and swales are to be provided, and indicating paved widths. Private roads in minor subdivisions shall also be clearly identified and named.
- h. Other storm water or drainage facilities, including manholes, pipes, drainage ditches, retention ponds, etc.
- i. Sidewalks and other walkways, if applicable, showing widths and surface material.
- j. Bridges.
- k. Outdoor illumination, where required, with lighting fixtures.
- l. Underground utility lines, including water, sewer, electric power, telephone, gas, and cable television. Water and sewer pipeline signs shall be labeled.
- m. Aboveground utility lines and other facilities.
- n. Fire hydrants.
- o. Dumpsters.

- p. New contour lines resulting from earth movement (shown as dotted lines) with no larger than ten-foot contour intervals.
- q. Vehicle accommodation areas (including parking areas, loading areas, circulation areas, and types of surfaces, showing the layout of existing parking spaces and direction of travel lanes, aisles, or driveways).

B-8: DOCUMENTS AND WRITTEN INFORMATION IN ADDITION TO PLANS

In addition to the written application and the plans, whenever the nature of the proposed development makes information or documents such as the following relevant, such documents or information shall be provided. The following is a representative list of the types of information or documents that may be requested:

1. Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in the manner requested, or is the duly appointed agent of such a person. In the first case, a general warranty deed or quitclaim deed shall be required, and in the second case, a duly verified affidavit shall suffice.
2. Certifications from the appropriate agencies that proposed utility systems are or will be adequate to handle the proposed development and that all necessary easements have been provided.
3. Detailed description of play apparatus or other recreational facilities to be provided in mini-parks.
4. Legal documentation establishing homeowners associations or other legal entities responsible for control over required common areas and facilities.
5. Bonds, letters of credit, or other surety device as required by these regulations.
6. Complete documentation justifying any requested deviation from specific requirements established by these regulations as presumptively satisfying design standards.
7. Written evidence of permission to use satellite parking spaces under the control of a person other than the developer when such spaces are allowed pursuant to Article 1200.
8. Written evidence of good faith efforts to acquire satellite parking spaces under the circumstances set forth in Article 1200.
9. Time schedules for the completion of phases in staged development.

10. The environmental impact of a proposed development, including its effect on historically significant or ecologically fragile or important areas and its impact on pedestrian or traffic safety and/or congestion.

B-9: NUMBER OF COPIES OF PLANS AND DOCUMENTS

With respect to all plans and other documents required by this appendix, the developer shall submit the number of copies that the appropriate section of these regulations shall specify to expedite the review process and to provide necessary permanent records. The Administrator may require additional or fewer copies as circumstances apply.

APPENDIX C: ROAD DESIGN AND CONSTRUCTION

C-1: DESIGN SPEED, SIGHT DISTANCE, AND CENTERLINE RADIUS

The following table summarizes the minimum standards for all subdivision and private roads approved by the Planning Commission:

	<u>MINOR</u>	<u>LOCAL</u>	<u>COLLECTOR</u>	<u>ARTERIAL</u>
Design Speed	25 mph	30 mph	35 mph	45 mph
Minimum Sight Distance on Vertical Curve	150 feet	200 feet	225 feet	325 feet
Minimum Centerline Radius	170 feet	270 feet	415 feet	1050 feet

The minimum centerline radius may be decreased, if the roadway cross-section is superelevated. Any superelevation of the roadway cross-section and decreased centerline radius must be designed by a Professional Civil Engineer, licensed by the State of Missouri and approved by the County Highway Administrator.

C-2: CUT AND FILL SLOPES

Cut and fill slopes on any road right-of-way may not exceed 2:1, unless solid rock is encountered and increased slope does not interfere with necessary sight distance.

C-3: SIGHT DISTANCES AT INTERSECTIONS

1. At no-stop intersections, the intersection shall be constructed so that a person stopped on the street that does not have the right-of-way has the following sight distances, based on the speed and grade of the intersecting street that has the right-of-way:

Intersection Sight Distance	
Grade = 0% - 5%	
Intersecting Street Speed (MPH)	Minimum Sight Distance (ft)
55	570
50	470
45	380
40	300
35	230
30	170
25	120
20	75

Intersection Sight Distance	
Grade = 5% - 10%	
Intersecting Street Speed (MPH)	Minimum Sight Distance (ft)
55	790
50	655
45	530
40	420
35	320
30	235
25	165
20	105

Intersection Sight Distance	
Grade = 10% - 15%	
Intersecting Street Speed (MPH)	Minimum Sight Distance (ft)
55	1300
50	1075
45	870
40	685
35	530
30	390
25	270
20	170

2. Subject to Subsection (3), at 4-way stop intersections, the intersection shall be constructed so that a person standing 10-feet back of the intersection of the right-of-way lines on the stop street has an unobstructed view to a point on the right-of-way line of the intersecting through street located 70-feet from the intersection of the right-of-way lines. See Drawing No. C-01.
3. At stop intersections where a street intersects with a state maintained primary road, the intersection shall also be constructed to meet all standards and sight distances set by the Missouri Department of Transportation.
4. Intersections should not be installed where the grade of the primary road exceeds 15% profile grade.

C-4: RADIUS AT STREET INTERSECTIONS

At street intersections, the intersections of the paved surfaces shall be rounded with a minimum radius as shown in Drawing No. C-02. Where streets intersect at less than right angles, a greater radius may be required.

C-5: CLEARING AND GRUBBING

Clearing and grubbing shall be performed within the limits shown on the plans. All timber, brush, roots, stumps, trees, or other vegetation cut during the clearing operations shall become the contractor's responsibility to dispose of, and shall be either removed from the project by him, or satisfactorily disposed of on-site. Timber, brush, roots, stumps, trees or other vegetation shall never be used as fill material or buried within any roadways right-of-way, proposed or existing.

C-6: GRADING AND COMPACTION

Streets shall be graded in accordance with the lines and grade set by the engineer. Before placing curb and gutter or base on the graded subgrade, the subgrade shall be compacted to 95 percent AASHTO T99 for a depth of six inches and then shall be proof rolled in the presence of the engineer. Places that are found to be loose, or soft, or composed of unsuitable materials, whether in the subgrade or below it, must be dug out and refilled with suitable material. All embankments or fills shall be made in one-foot horizontal lifts of suitable material. The fill shall be rolled with a sheepfoot roller after each lift, followed by a wheel roller, each weighing not less than eight tons.

C-7: STREET BASE

Base course for streets shall generally be eight inches thick, unless otherwise directed by the Camden County Highway Administrator, and shall be crushed stone conforming to Section 1007, *Aggregate for Base of the Missouri Standard Specifications for Highway Construction*, the most current edition. The stone base course shall be placed in four-inch layers, watered as necessary, and compacted to 100 percent AASHTO T99. The contractor shall be responsible for keeping the stone base free of contamination from clay or other foreign materials. Handling and placement of stone base shall all be in accordance with Camden County Highway Department specifications.

C-8: STREET SURFACES

The asphalt surface course shall meet *Section 403, Asphalt Concrete Pavement of the Missouri Standard Specifications for Highway Construction*, current edition. The asphalt shall be placed in layers no less than 1.5 inches in depth after compaction, and shall be handled and placed in accordance with Camden

County Highway Department specifications. Concrete or "chip and seal" may be used upon approval of the Planning Director based on recommendation by the Highway Administrator and shall conform to the Camden County Highway Department specifications.

C-9: PAVEMENT SECTION VARIATIONS

Sections C-6, C-7, and C-8 set the standards that shall apply under normal soils conditions. Soil tests are to be conducted for all street design and a pavement design made by a qualified soils engineer. The Camden County Highway Administrator may require pavement sections constructed to greater standards than those set forth above (for unstable soils).

C-10: STREET CROSS SECTIONS

Streets shall be constructed and utilities located in accordance with Drawing No. XS-01 and XS-02.

C-11: CURB AND GUTTER

1. Concrete curb and gutter shall be constructed according to the lines and grades established by the engineer. The concrete shall meet the state highway requirements. The curb and gutter shall be at least 24 inches wide, and shall have a vertical curb face. The forms shall be of metal, free of marks or kinks, and shall be rigidly held in position. The engineer shall approve the positioning of the forms before concrete is poured. The concrete shall be placed in the forms in a manner to prevent segregation, and tamped or vibrated sufficiently to prevent honeycombs. The concrete shall be finished smooth and even by means of rollers or floats. Expansion joints shall be provided every 30 feet, and control joints every 10 feet.
2. Curb and gutter shall be constructed in accordance with Drawing No. C-03 & C-04.

C-12: SIDEWALKS

Sidewalk construction shall be similar to street construction, with subgrade compacted to 95 percent AASHTO T99. Concrete sidewalks shall be four inches thick (increasing to six inches thick at driveway entrances), and shall be at least five feet wide. Expansion joints shall be provided every 30 feet and where sidewalks abut concrete curb and gutter or driveways; control joints at five feet.

C-13: ACCESSIBILITY

All sidewalks and ramps must comply with the Americans with Disabilities Act Standards for Accessible Design.

C-14: STORMWATER RUNOFF CONTROL

1. The minimum design frequency for storm runoff shall be 25 years for storm water collection and 50 years for cross drainage (i.e., drainage facilities crossing a street).
2. All storm drainage pipes shall be reinforced concrete or corrugated metal pipe and no pipe may be smaller than 18 inches in diameter.
3. Culvert outlet protection and swale erosion protection shall be designed based on a 50-year storm.
4. All storm drainage structures and pipes shall be designed and constructed in accordance with Camden County Highway Department specifications and Standard Drawings No. C-06 through No. C-10. However, in case of a conflict, the standard drawings shall prevail.

C-15: STORMWATER STRUCTURES

1. Manholes must be constructed at not more than 350-foot intervals and at all bends and changes of grade.
2. Floor of structure must be shaped with invert to provide smooth flow.
3. The access cover must provide an opening of no less than 24" in any direction and must be located over the wall opposite of the inlet.
4. Access covers must be made of cast iron and cast into the concrete structures lid.
5. Access covers must be traffic-rated when located in a driving surface.
6. Structures that exceed 3 feet in depth measured from the access cover to the invert must have cast iron steps spaced at 16 inch centers.
7. Structure depth measured from the access cover to the invert should never exceed 15 feet without special design.
8. See Drawing No. C-06 through C-08 for construction details.

C-16: SEDIMENTATION CONTROL

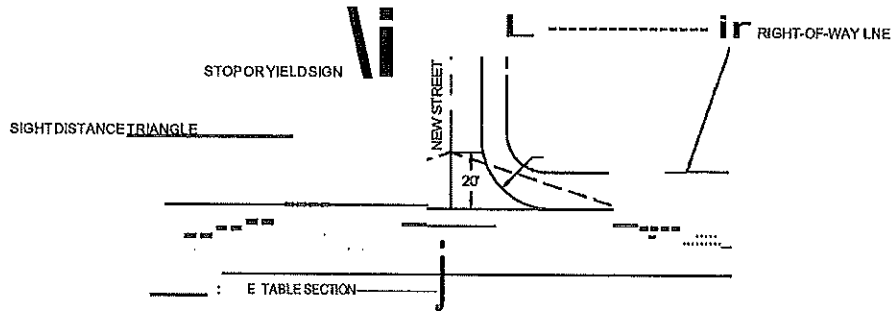
Road shoulders, swales, back-of-curbs, and cut and fill banks shall be completely dressed up by the contractor and seeded as soon as possible, and any time ground will remain bare for more than 30-days during construction. During the growing off-season, mulching is the preferred method.

C-17: DRIVEWAY PLACEMENT

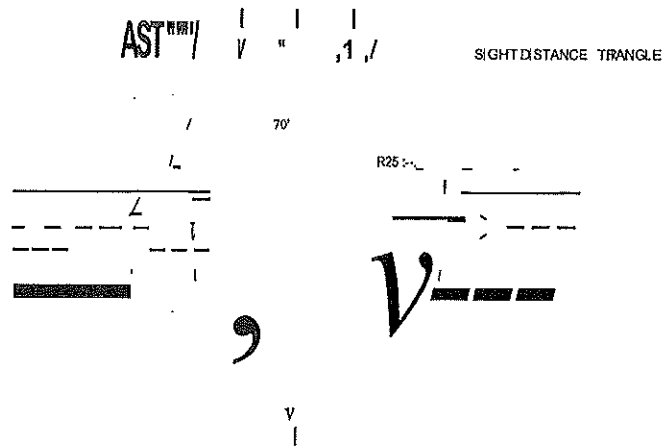
1. Driveways (including all materials associated with the driveway's construction) must be placed within the parcel/lot's side property lines extended toward the right-of-way. For purposes of this provision, "side property line" shall include the roadward projection of such line on the same bearing it had at its intersection with the right-of-way. Driveways and associated materials may be constructed outside the projected property lines, if a driveway easement is obtained from the neighboring property it encroaches upon. The driveway easement shall have a width of at least 5 feet running parallel and contiguous to the right-of-way.
2. Driveways must comply with the Americans with Disabilities Act Standards for Accessible Design where sidewalks cross the driveways.
3. Driveways profile grades must be installed within the grades shown in Drawing No. C-05 within the right-of-way.

C-18: UTILITIES IN THE RIGHT-OF-WAY

1. Overhead utilities must be at least 14 feet above the roadway surface.
2. Underground utilities must be installed outside the back of slope of the roadway ditch and at least 5 feet from the edge of the roadway shoulder if no ditch exists. Underground utilities that must cross the roadway may do so at an angle no less than 60 degrees from the roadway alignment.
3. Underground utilities within the road right-of-way must have the following minimum depths of cover: Potable Water = 42 inches, Primary Electric and Natural Gas/Propane = 36 inches, Low Pressure Sewer = 30 inches, Telecommunication and Secondary Electric = 24 inches, Irrigation = 24 inches, Gravity Sewer = 18 inches.
4. Underground utilities must have a vertical separation of at least one (1) foot and horizontal separation of at least five (5) feet from any storm drain infrastructure or retaining wall.

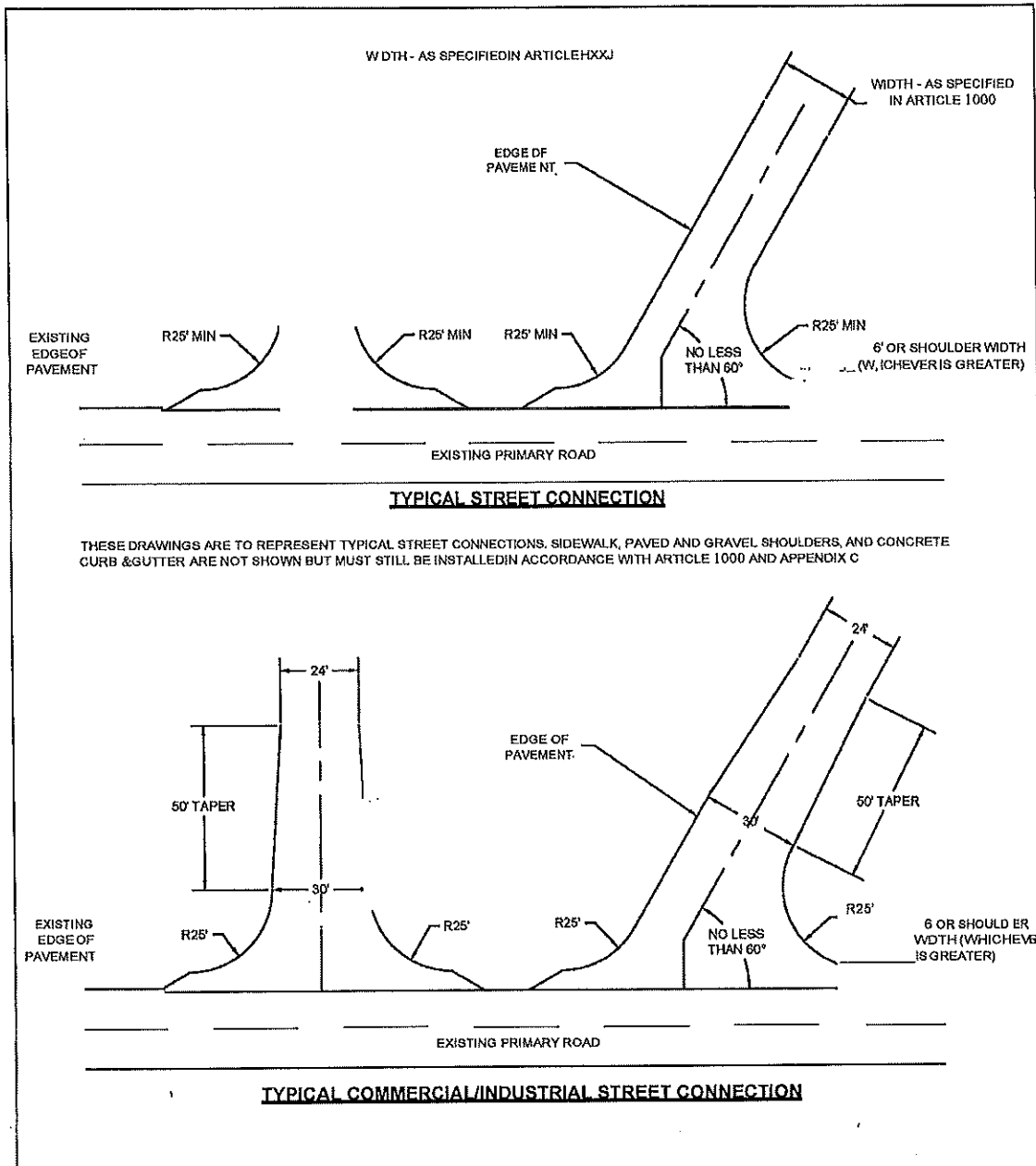


SIGHT DISTANCE FOR NO-STOP CONDITION



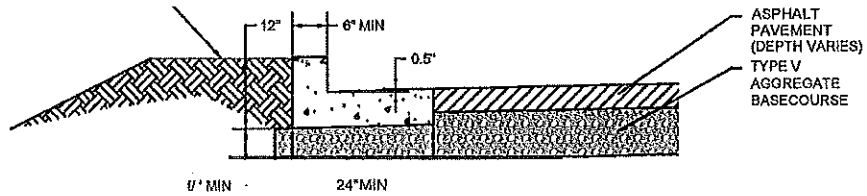
SIGHT DISTANCE FOR ALL-STOP CONDITION

50	0	25	50
1 INCH = 50 FEET			
03/08/2016		UNIFIED LAND-USE CODE	
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LRs		CAMDEN	
LRs		CAMDEN	
Rev'd By:		CAMDEN	
N/A		C-01	



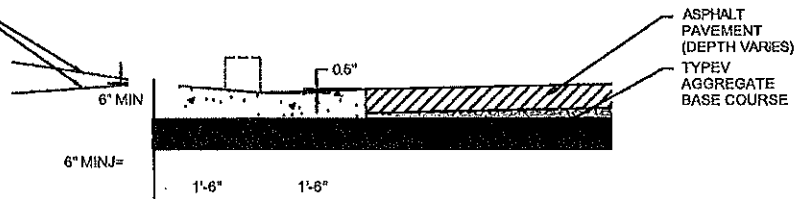
<p>40 0 20 40</p> <p>1 INCH = 40 FEET</p>	<p>DATE 03/09/2016</p> <p>DESIGNED BY LRS</p> <p>REVIEWED BY N/A</p>	<p>UNIFIED LAND-USE CODE APPENDIX C</p> <p>CAMDEN, NJ</p> <p>COUNTY ENGINEER: L.H. BROWN, P.E. Fax: (856) 346-0670 Phone: (856) 346-4471</p> <p>DRAWING NO. C-02</p>	<p>COUNTY OF Q.M.W. CAMDEN</p>
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2-FT GRASS SHOULDER



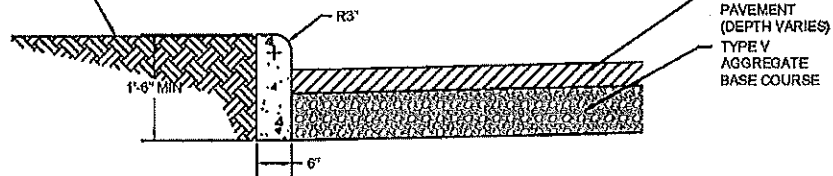
TYPICAL CONCRETE CURB & GUTTER

DRIVEWAY PROFILE



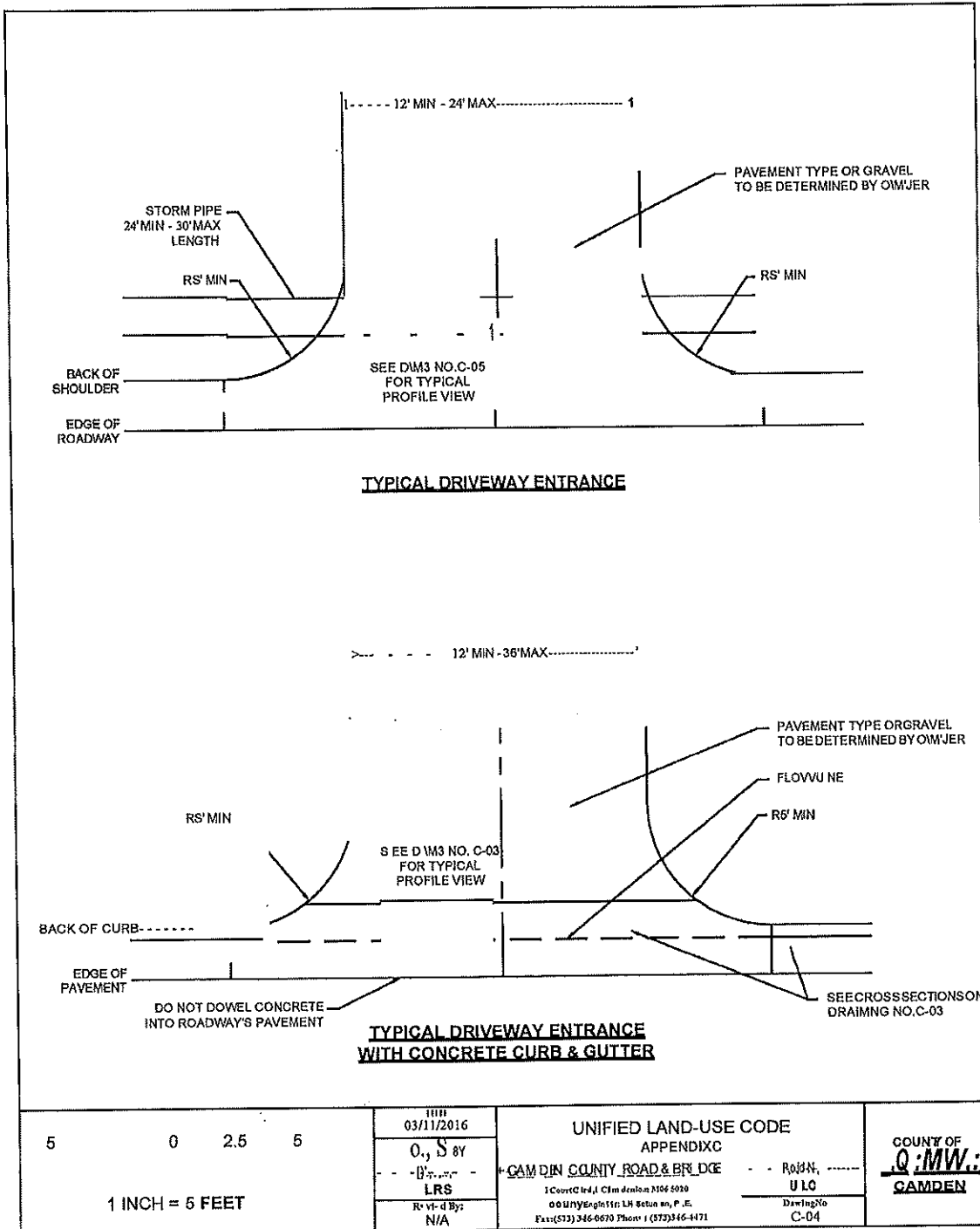
TYPICAL CONCRETE DRIVEWAY & GUTTER

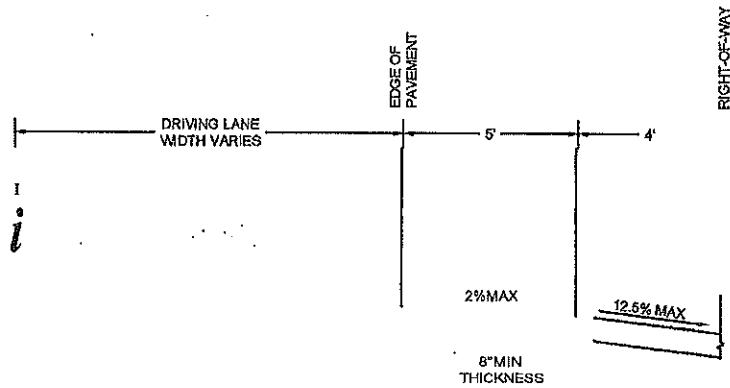
LANDSCAPED ISLAND



TYPICAL TRAFFIC ISLAND CONCRETE CURB

2 0 1 2	03/23/2018	UNIFIED LAND-USE CODE APPENDIX C	COUNTY OF CAMDEN
1 INCH = 2 FEET	LRS	CAMI, No 1. A 50' R/W E	1/11/16
	Rev'd by: N/A	COUNTY Engineer: L.H. Schuman, P.E. Fax: (513) 346-0610 Phone: (513) 346-4471	Drawing No C-03

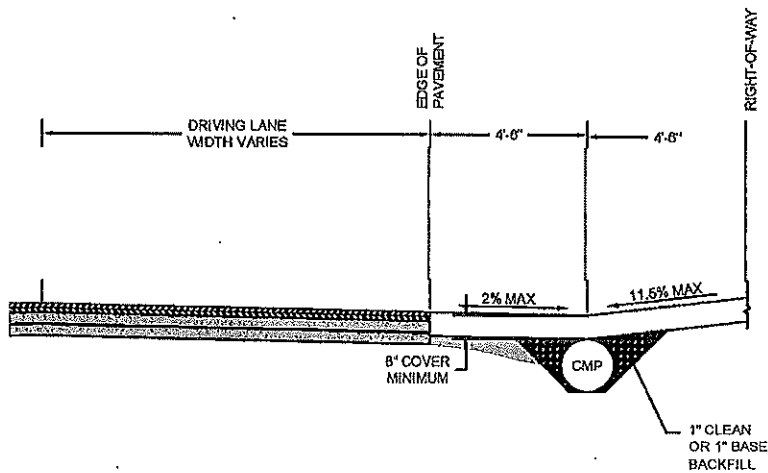




**TYPICAL DRIVEWAY PROFILE
W/O CURB AND GUTTER**

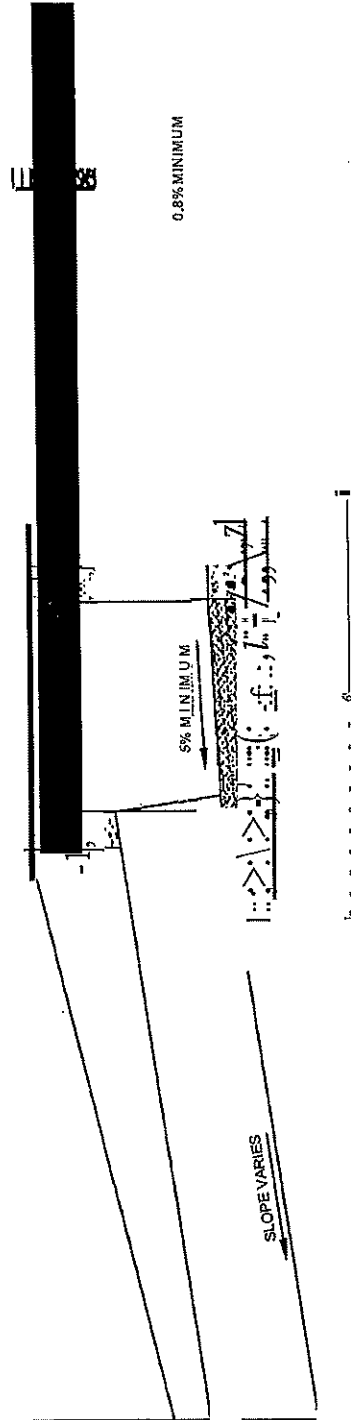
NOTES:

1. DRIVEWAY MATERIALS INSIDE THE RIGHT-OF-WAY MUST CONSIST OF 1-INCH BASE ROCK, CONCRETE (MIN. 4000 PSI COMPRESSIVE STRENGTH), OR HOT-MIX ASPHALT.
2. ASPHALT DRIVEWAYS MUST HAVE AT LEAST 6" OF ASPHALT (AFTER COMPACTION) INSTALLED OVER 5" OF 1-INCH BASE ROCK (COMPACTED TO 95% OF STANDARD MAXIMUM DENSITY).
3. CONCRETE DRIVEWAYS MUST HAVE AT LEAST 5" OF CONCRETE (MIN. 4000 PSI COMPRESSIVE STRENGTH) INSTALLED OVER 3" OF 1-INCH BASE ROCK (COMPACTED TO 95% OF STANDARD MAXIMUM DENSITY).

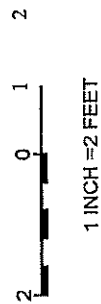


**TYPICAL DRIVEWAY PROFILE
W/O CURB AND GUTTER**

<p>4 0 2 4</p> <p>1 INCH = 4 FEET</p>	<p>DATE 03/23/2016</p> <p>DESIGNED BY LRS</p> <p>REVISED BY N/A</p>	<p>UNIFIED LAND-USE CODE APPENDIX C</p> <p>CAMDEN, NJ</p> <p>COUNTY ENGINEER: L. H. Debrahn, P.E. Fax: (573) 346-0670 Phone: (573) 346-4471</p> <p>DRAWING NO. C-05</p>	<p>COUNTY OF Q:MW CAMDEN</p>
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[illegible]

TYPICAL STORMWATER JUNCTION BOX



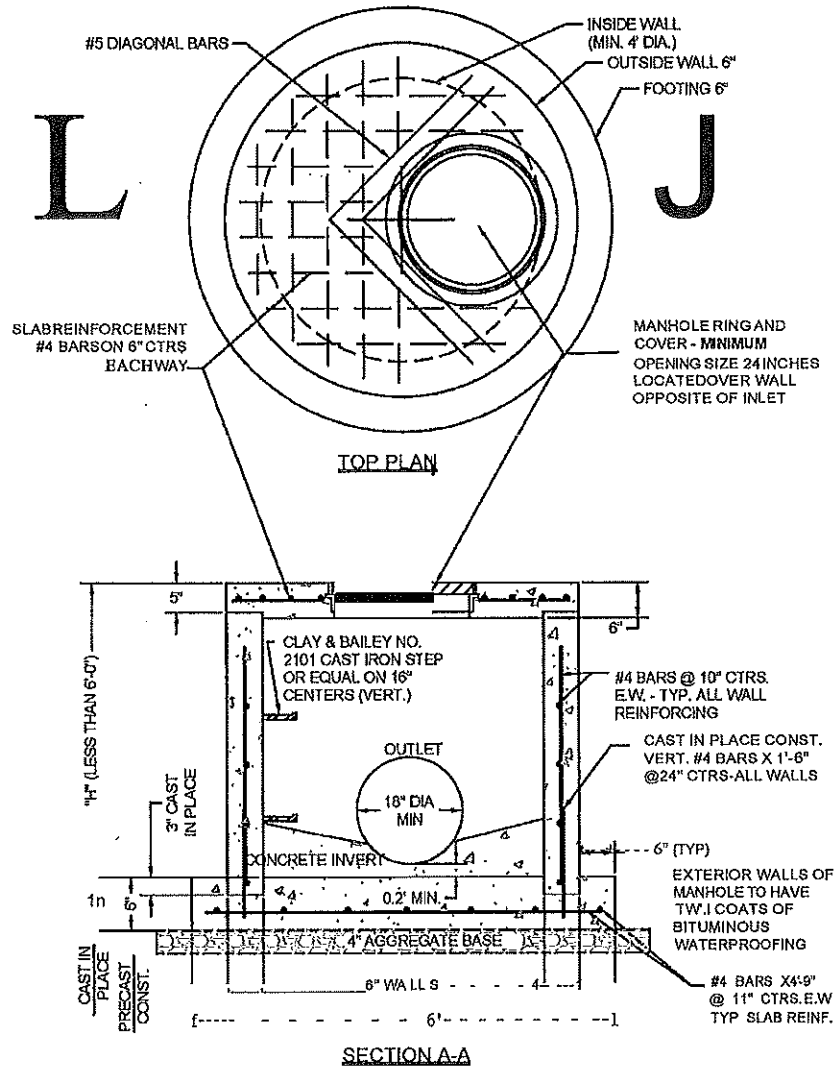
UNIFIED LAND-USE CODE

2000

CAMDEN COUNTY ROAD & BRIDGE
1 Court Circle, Camden, MO 65802

County Engineer L.H. Schuman, P.E.
 10011 Curtis California 90046
 Fax: (626) 416-0670 P1011: (627) 246-4771

COUNTRY OF
CHINA
CAPACITY



TYPICAL STORM WATER JUNCTION BOX
PRECAST CONCRETE

2 0 1 2

1 INCH = 2 FEET

11111
08/16/2016

O., S BY

- D' -

LRS

Revised By:

N/A

UNIFIED LAND-USE CODE

APPENDIX C

CAMDEN COUNTY ROAD & BRIDGE

1 Courtland Circle Camden 3006 5020

COUNTY ENGINEER: L.H. Scales, P.E.

Fax: (573) 345-0610 Phone: (573) 345-4471

- - -

ULC

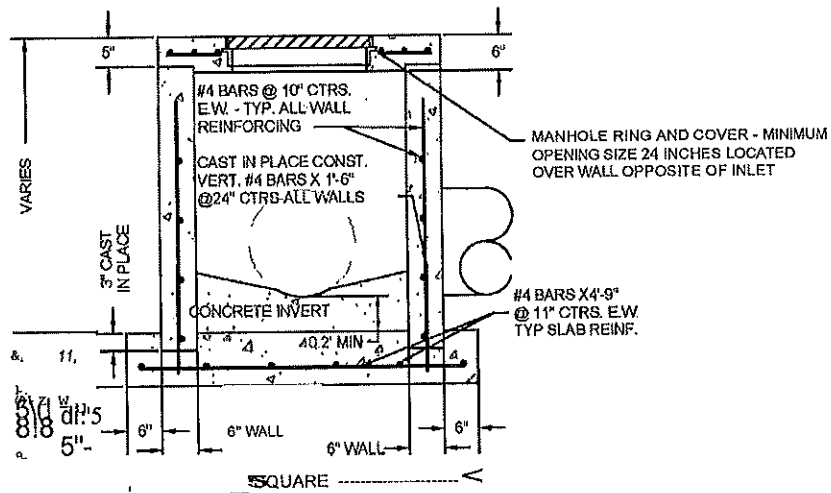
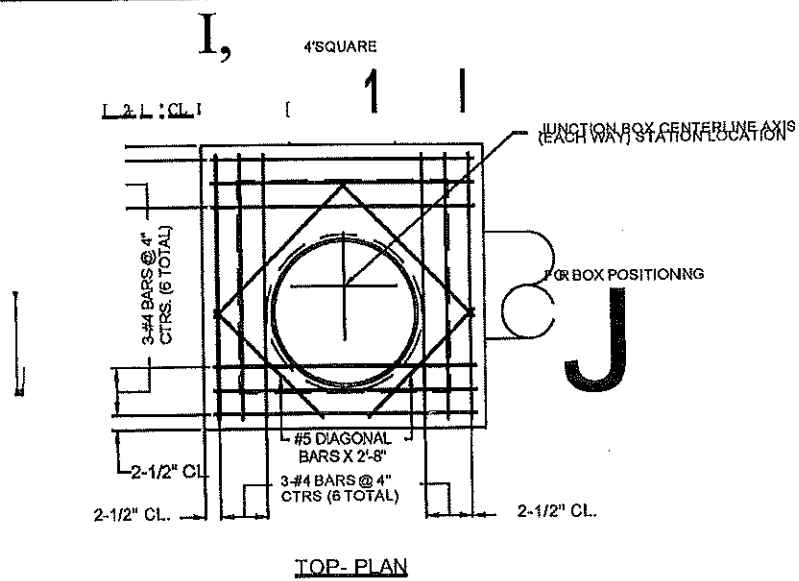
Drawing No

C-07

COUNTY OF

Q:MW

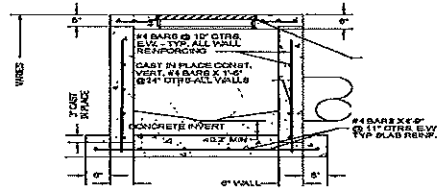
CAMDEN



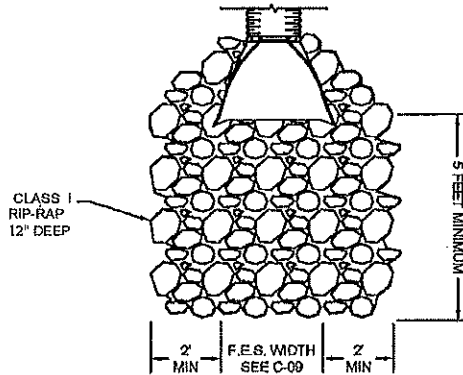
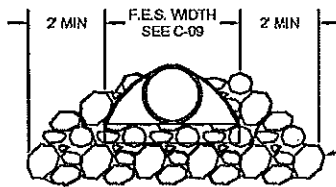
TYPICAL STORM WATER JUNCTION BOX
CAST-IN PLACE CONCRETE

2	0	1	2	DATE 08/01/2016 DESIGNED BY LRS REVIEWED BY N/A	UNIFIED LAND-USE CODE APPENDIX C CM I, No I, A DO RWE COUNTY Engineer's Seal Section, P. E. Fax: (573) 346-6570 Phone: (573) 346-4473	COUNTY OF JOSSW: CAMDEN
1 INCH = 2 FEET				Drawing No C-08		

SCALE: 1" = 5'

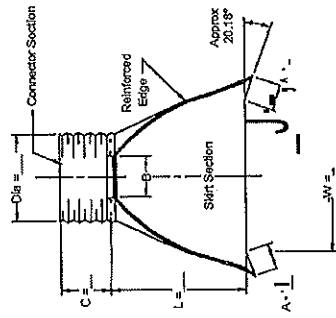


SCALE: $1'' = 10'$

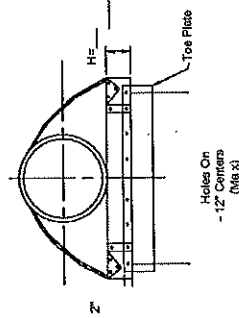


SCALE: $1'' = 10'$

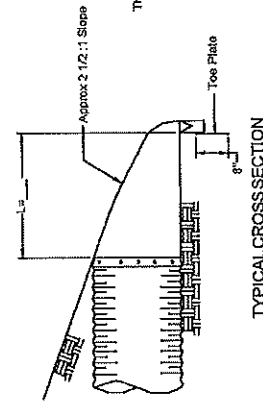
0	08/17/2016 ,0. Igao, r, LRS Rev'd By: N/A	UNIFIED LAND-USE CODE APPENDIX C CAM I, No I. A 50 R DGE county/English/LH Section P.E. Proj: (6233) 16-0278 Phone: (623) 214-1473 Drawing No: C-08	COUNTY OF JESSIE CAMDEN
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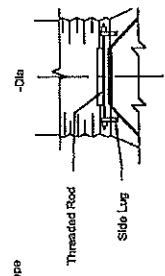
PLAN



ELEVATION



TYPICAL CROSS SECTION



ALTERNATE CONNECTION

PIPE DIA	THICKNESS	DIMENSIONS			
		A	MAX	W	W
18"	0-0.0640"	0-6"	10"	1-1.112"	3-4"
24"	0-0.064"	10"	13"	1-1.112"	4-8"
30"	0-0.064"	12"	15"	1-1.112"	5-2"
36"	0-0.064"	14"	18"	1-1.112"	6-2"
42"	0-0.064"	16"	22"	1-1.112"	7-2"
48"	0-0.064"	18"	27"	1-1.112"	8-4"
54"	0-0.064"	20"	32"	1-1.112"	10-2"
60"	0-0.064"	22"	37"	1-1.112"	11-4"

NOTES:

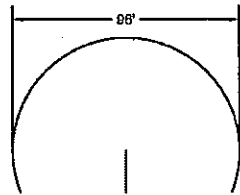
1. Toe plate, where needed, to be punched to match holes in skirt lip.
2. 3/8" galvanized bolts to be furnished. Length of toe plate is W+10" for 18" to 30" diameter pipe and W+22" for 36" to 60" diameter pipe.
3. Skirt section for 18" to 30" diameter pipe to be made in one piece. Skirt section for 36" to 54" pipe to be made in two sheets joined by riveting or bolting on center line. 60" may be constructed in 3 pieces.
4. Connector section, corner plate and toe plate to be same sheet thickness as skirt.
5. End sections and fittings are to be galvanized steel or aluminum alloy (if use with like pipe).
6. Where flared end sections are to be used with bituminous coated and paved metal pipe, they are to be galvanized only.

FLARED END SECTION DETAILS
NOT TO SCALE



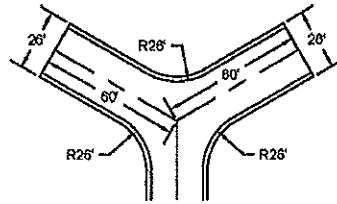
NOT TO SCALE

Date: 08/16/2016 Drawn by: LRS Checked by: LRS Reviewed by: N/A	UNIFIED LAND-USE CODE APPENDIX C	Project No: ULC Drawing No: C-10 Camden County Road & Bridge 1 Court Clerk, Camden, NJ 08102 County Engineer: Lisa Schumacher, P.E. Fax: (609) 346-3070 Phone: (609) 346-4471
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R30'

R30'



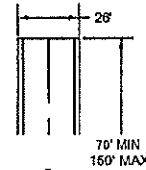
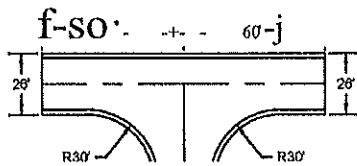
2-FOOT GRAVEL SHOULDER

f-t 26'

26'

**96-FOOT DIAMETER
CUL-DE-SAC**

60-FOOT "Y"



R30'



R30'



2-FOOT GRAVEL SHOULDER

f-t 26'

26'

120-FOOT HAMMERHEAD

HAMMERHEAD ALTERNATIVE

NOT TO SCALE

08/25/2016

UNIFIED LAND-USE CODE
APPENDIX C

0.1 gpm, 1.2 L/s

0.1 L/s

Revised by:
N/A

CAM 1, No 1, A 60' R DCE
County Engineer: LH Schenck, P.E.
Fax: (573) 346-0670 Phone: (573) 346-4471

1/1/16
Drawing No
C-11

Q/ASW

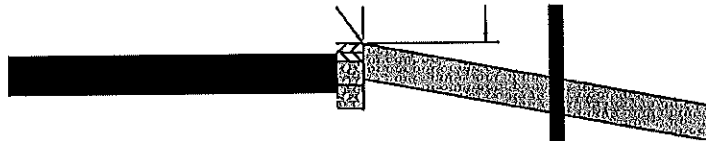
CAMDEN

2' MIN

SPEED
LIMIT
40

5'-7"
ABOVE
ROAD
SURFACE

EDGE OF ROADWAY



ROAD SIGNPLACEMENT

0	001, 12/09/2016 SUNSHINE	UNIFIED LAND-USE CODE		COUNTY OF NEW CAMDEN
	1. - LRS: LRS Reviewed By N/A	APPENDIX C	CAMDEN COUNTY ROAD & BRIDGE Leo L. Orefo, camdencon, ua65920 Correll Erg Incel Lee Solimen, P e Fax (573) 316-6670 Phone (573) 316-4471	Drawing No C-12

APPENDIX D: TECHNICAL PLAN REQUIREMENTS

D-1: LAND GRADING PLAN

The Land Grading Plan shall consist of the following information:

1. Full name, address, and contact information of the owner of record.
2. Name and address of any designated agents or contractors.
3. Property address and legal description.
4. Summary or index of the Plans content.
 - a. Sediment & Erosion Control Plan (if required).
 - i. If the development required a sediment & erosion control plan to be submitted to the Missouri Department of Natural Resources (MDNR) for review and approval a copy of that plan and the approval will meet this requirement.
 - ii. If the development is determined to require a sediment & erosion control plan and such a plan was not required to be submitted for review and approval to MDNR a sediment & erosion control plan must be submitted that is signed and sealed by a certified professional engineer, registered in the State of Missouri.
 - b. Stormwater Management Plan (if required).
5. General site plan:

Location map, property boundary and internal lot lines, existing and proposed structures and facilities, location of open space, buffers, natural areas, and topographic information.
6. Any additional information required by the Administrator.

D-2: STORM WATER PLAN

1. Storm water management plans must provide for the collection and conveyance of surface water through and from the are encompassed by the land disturbance permit in such a manner as to avoid increasing the potential for damage to developed properties downstream from the site.
2. The general criteria for storm water management shall be:

- a. All conduits and channels are designed to accommodate the peak flow from the design storm (50-year return frequency, 24-hour duration).
 - b. All detention/retention facilities shall contain the runoff from a 25-year return frequency, 24-hour duration storm.
 - c. Such detention/retention facilities shall be designed to release retained surface water runoff such that the peak rate of runoff from the site after development shall not exceed the peak rate of runoff from the site prior to development for a 2, 10, and 25 year return frequency, 24-hour duration storm.
 - d. The site and all facilities shall be developed to be protected from the runoff of a 100-year return frequency, 24-hour duration storm IF a down slope flooding problem has been identified.
 - e. The design and sizing of Stormwater facilities shall use the Hydrograph Method for all developments of 10-acres or larger.
 - f. The Rational Equation and the Simplified Volume Formula may be used for developments less than 10-acres in size although the Hydrograph method is preferred.
3. Storm water conveyance systems shall be designed to transport concentrated storm water runoff to detention basins or stable channels (not subject to erosion) under fully developed conditions. The storm water conveyance system shall be designed to carry both on-site as well as off-site runoff. Concentrated runoff from higher properties shall be carried by storm water facilities on the subject property. The requirements outlined in these standards are to be considered minimum standards.
4. Open channels shall be located in drainage easements designed to provide a 100-year floodplain and shall be designed and constructed in such a manner as to provide easy maintainability of the channel and side slopes and to prevent erosion from design flows. If the channel extends between buildings, consideration must be given to provide adequate protective measures, such as paving the channel invert and side slopes, bank protection or fencing. Open channels in residential areas should generally be located along the rear or side lot lines.
5. Where storm drainage along the side lot lines of residential property is to be in conduit, the conduit shall extend to a point at least thirty (30) feet to the rear of the front building line of ten (10) feet beyond the rear line of the structure, whichever is greater. A surface swale shall be provided over this

area to contain at least a 100-year storm. At the point of intersection with the open channel, some type of facility shall be provided to disperse the flow and minimize erosion.

6. Where culverts and storm water facilities are placed under roadways, they shall extend as necessary to the toe of the roadway embankment, which if required will extend past the limits of the right-of-way, and proper hydraulic structures shall be provided for dissipation of velocity to prevent erosion. Embankments shall be protected to prevent erosion against a 100-year storm.
7. Pipe drains or culverts constructed to intercept the flow of ditches or channels, which may be enclosed in a conduit at a future time, shall be installed at adequate depth to permit their extension at the same required depth.
8. On curbed streets the curb inlets shall be installed at or near intersections where they are deemed necessary for the safety of pedestrian and vehicular traffic. Curb inlets shall be placed to intersect the storm water before it reaches the crosswalks. No curb inlet shall be located at a crosswalk.
9. Tributary areas, which drain across public sidewalks, must not exceed 3,000 square feet of impervious area, including roofs discharging upon paved areas, or 9,000 square feet of sodded area, or in proportional amounts for a combination of such areas. Paved, roofed, or impervious areas exceeding 3,000 square feet shall be provided with drains for discharge into conduits, channels, or street gutters.
10. Any concentration of surface flow in excess of 2.0 cfs for a 10-year frequency storm shall be intercepted before reaching the street right-of-way and shall be carried either by an enclosed storm drain with a drainage structure at the low point in the street right-of-way or to discharge to a water course.
11. All detention facilities shall include an emergency or overflow spillway that will pass excess flows greater than those of the 25-year frequency, 24-hour duration storm and overflows resulting from obstructions of the principal outlets. The emergency spillway shall be designed to safely pass the flow resulting from a 100-year frequency, 24-hour duration storm.
12. A storm water detention facility shall be located only on the lot, tract, or development it is intended to serve unless otherwise approved by the Planning Commission.

13. Retention facilities may be constructed in lieu of detention as long as the minimum required volume necessary is continuously available within the structure.

D-3: SEDIMENT & EROSION CONTROL PLAN

Sediment & Erosion Control Plan Content:

1. Details of any temporary drainage system proposed to be installed and maintained by the applicant designed to handle surface runoff during the grading operations.
2. Details of proposed water impoundment structures, embankments, sediment or debris basins, grass or lined waterways and diversions.
3. Details of soil preparation and revegetation of the finished grade and of other methods of soil erosion control.
4. Proposed truck and equipment access ways to the work site and how the access way will be designed to keep soil and mud off any roads.
5. Proposed phasing plan of the development site. Phasing will establish the date initial work will begin and estimated duration of exposed ground and estimated date of completion to include revegetation activities.
6. Delineation of those areas to be excavated, graded, or filled with excavated materials.
7. Identify any part of the project that is to remain as natural areas. These are to be protected and untouched by any clearing, grading, or construction.
8. Location of any sewerage disposal system or underground utility line, any part of which is within 50-feet of the proposed excavation, grading, or filling area and the location of any pipeline, any part of which is within 100 feet of the proposed excavation, grading, or filling area.
9. Existing grade and topography of the premises and the proposed finished grade and final contour elevation at a contour interval of not more than two (2) feet based on USGS datum.
10. Location and status of any previous grading operations on the property.

APPENDIX E: MANUFACTURED HOME STANDARDS

E-1: DEFINITIONS

For the purpose of clarifying the basic definitions for Mobile Homes and Manufacture Homes the following definitions shall apply.

Manufactured Home Class A - A manufactured home no more than ten (10) years in age that meets or exceeds the construction standards established by the U.S. Department of Housing and Urban Development and that satisfies each of the following additional criteria:

1. The minimum width of the main body of the home as assembled on-site shall not be less than twenty (20) feet, as measured across the narrowest point.
2. The home has a length not exceeding three (3) times its width.
3. The pitch of the home's roof has a minimum vertical rise of one foot for each five feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in standard residential construction.
4. The exterior siding consists of wood, hardboard, or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.
5. A continuous, permanent foundation, unpierced except for required ventilation and access, is installed under the home. This may include a foundation with crawl space or basement.
6. The tongue, axles, transporting lights, and removable towing apparatus are removed after placement on the lot and before occupancy.

Manufactured Home Class B - Any new or used manufactured home constructed after July 1, 1976, that meets or exceeds the construction standards established by the U.S. Department of Housing and Urban Development but does not satisfy the criteria necessary to qualify as a Class A home.

Manufactured Home Class C - (Mobile Home) Any manufactured home that was built prior to July 1, 1976 and does not meet the criteria of a Class A or Class B home. In no circumstance will a Class C home be allowed to be placed within the area of Camden County that is covered by this regulation.

Park Model Home - Any temporary or permanent residence that is placed in the same fashion as a manufactured home that is less than 400 square feet in area and is classified by the state of Missouri as a recreational vehicle.

E-2: MANUFACTURED HOME PARK POLICIES

Any manufactured home park development that is approved and established after the effective date of the Unified Land-Use Regulations shall meet the following standards.

1. No manufactured home parks shall be constructed on a parcel of property, which has an area of less than five (5) acres.
2. All manufactured home parks shall provide a minimum of a twenty-five (25) foot wide landscaped buffer strip along all roads that border the development.
3. All manufactured home parks shall provide a combined storage/parking area of at least two hundred (200) square feet in area for each manufactured home space in the development. This storage parking area is intended to provide space for the residents of the park to store boats, recreational vehicles, extra vehicles, etc.
4. The residential density of a manufactured home park shall be specifically related to the existing topography and ability of the site to contain dwelling units in compliance with all required standards. In no case shall the density exceed eight (8) dwelling units per acre.
5. The following separations shall be followed within all manufacture home parks:
 - a. Minimum of a 50-feet front yard measured from the centerline of the internal roadways.
 - b. Minimum of a 35-feet side corner yard measure from the centerline of the internal roadways.
 - c. Minimum of a 14-foot side yard separation including appurtenances.
 - d. Minimum of a 20-foot rear yard separation including appurtenances.
6. Manufactured home parks with more than 24 spaces shall maintain a minimum common usable open space of 10% the gross area of the development.

7. Only one (1) manufactured home will be allowed per site. Park Model units are not to be placed like a manufactured home.
8. A manufactured home park may contain sites for use by recreational vehicles not to exceed 10% the number of homes in the development (a 40 space MHP could have an additional 4 spaces for the exclusive use by RV's). These additional RV spaces could be used by Park Model units.
9. Other than established spaces for recreational vehicles all other travel trailers, boats, and similar vehicles shall only be allowed to be parked in the established storage parking area.
10. Manufactured home parks shall be developed in compliance with the standards for parking, sidewalks, utilities, lighting, permits, etc. established in the applicable Articles and Sections of this regulation.

E-3: MANUFACTURED HOME SUBDIVISIONS

A manufactured Home subdivision shall be developed in accordance with the standard requirements for all subdivisions and with the following additional requirements:

1. Density shall be consistent with the established provisions of the zoning district that the development is located.
2. No manufactured home subdivision shall be constructed on a parcel of property, which has an area of less than five (5) acres.
3. Only one (1) manufactured home will be allowed per lot.
4. Manufactured home subdivisions with more than 24 lots shall maintain a minimum common usable open space of 10% the gross area of the development.
5. No Park Model may be placed on a lot either as a primary or accessory use.

APPENDIX F: RECREATIONAL VEHICLES

F-1: DEFINITIONS

Recreational Vehicle - Any travel trailer, camper, van or similar vehicle which is designed, used, or maintained, as a temporary dwelling for travel vacation, or recreation purposes, that either has its own motive power or is mounted on or is towed by another vehicle.

Park Model Home - Any temporary or permanent residence that is placed in the same fashion as a manufactured home that is less than 400 square feet in area and is classified by the state of Missouri as a recreational vehicle.

RV Park and Campground - An area or tract of land used to accommodate two (2) or more recreational vehicles or campsites.

F-2: RECREATIONAL VEHICLE PARK AND CAMPGROUND POLICIES

Any RV Park and Campground development that is approved and established after the effective date of the Unified Land-Use Regulations shall meet the following standards.

1. The minimum area that will be allowed for a RV Park and Campground is five (5) acres.
2. RV Parks and Campgrounds shall contain not more than an average of eighteen (18) sites for recreational vehicles and/or camping. The spaces may be clustered provided that the land that is not included in individual sites, roads, sidewalks, or parking, is set aside and developed as park, playground, open space, or service area. Not more than one recreational vehicle or two tents may be placed on a single site.
3. Each recreational vehicle site shall have a minimum width of twenty-five (25) feet and a minimum length of fifty (50) feet. Vehicles shall be separated from each other and from any structure by at least ten (10) feet.
4. Service facilities shall full comply with the codes of the State of Missouri.
5. Any RV Park and Campground developed adjacent to residentially used property shall establish a minimum of a 30-foot wide vegetative buffer.
6. Recreational vehicles are intended for temporary or seasonal occupancy and shall not be occupied on a year around basis.
7. Recreational vehicle parks and campgrounds that include 48 or more sites must provide a minimum of ten percent (10%) of the gross area of the

development in usable common open space that is developed and maintained for recreational purposes.

8. Recreational Vehicle Parks that allow Park Models shall allocate a minimum of two sites per Park Model unit.

APPENDIX G: RUBBISH AND MOTOR VEHICLES

G-1: INTENT AND PURPOSE

This appendix provides minimum standards establishing the maximum limits for rubbish and motor vehicles on property.

G-2: DEFINITIONS

For the purposes of this appendix, the following terms shall be deemed to have the meaning indicated below:

1. **Garbage** - The animal and vegetable waste resulting from the handling, preparation, cooking or consumption of food.
2. **Motor Vehicles** - A self-propelled device used for transportation of people or goods over land surfaces and licensed as a motor vehicle.
3. **Rubbish** - Combustible and noncombustible waste materials, except garbage; the term shall include but not limited to paper, rags, cartons, boxes, rubber, leather, tin cans, metals, glass, crockery, rope, batteries, trash, debris, and other similar materials. Other items may include but not limited to junked, dismantled, burned, abandoned, derelict, or wrecked motor vehicles or mobile homes, or parts thereof. Mobile homes are not considered to be abandoned or derelict if the structure was placed pursuant to a building permit and is simply vacant.
4. **Waste Materials** - Such waste equipment or materials as result from demolition, construction, and development, to include but are not limited to: treated wood, steel, roofing shingles, plastic, insulation, siding, carpet and flooring, and any other material not classified as clean fill.

G-3: MOTOR VEHICLES

1. Except as provided for in other sections, not more than two currently unregistered or uninspected motor vehicles shall be parked, kept, or stored outdoors on any lot, and no such vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled.
2. Exception: A vehicle of any type is permitted to undergo major overhaul, including bodywork, provided that such work is performed inside a structure or similarly enclosed area. The range of use is subject to the limitations of these regulations, i.e. properly zoned for the purpose of the activity.

G-4: RUBBISH

All lots shall be free from any accumulation of rubbish.

G-5: WASTE MATERIALS

Within 30-days of the completion the site of any building project (individual structure) shall be free from any accumulation of waste material. In any case no accumulation of waste material shall be allowed to remain in place without removal beyond the active period of a construction permit (normally one year).

APPENDIX H: HISTORIC PRESERVATION ORDINANCE

Camden County Historical Preservation Ordinance

AN ORDINANCE ENABLING AND PROVIDING A PROCESS FOR HISTORIC PRESERVATION IN CAMDEN COUNTY.

WHEREAS, the Camden County was originally formally established as Kinderhook County in 1841; and

WHEREAS, Camden County has many buildings, structures, objects, sites, and districts that embody a sense of time and place unique to the County, or which exemplify and reflect the cultural, social, economic, political, architectural, engineering or archaeological history of the nation, the State of Missouri, or the County; and

WHEREAS, movements and shifts of population and the changes in residential, commercial and industrial uses and customs threaten areas, places, structures, sites, works of art and other objects having special historic, community, architectural, archaeological, or aesthetic importance, interest or value and whose preservation and continued utilization are necessary and desirable for the enjoyment, by the citizens of Camden County and others, of the history and beauty of said county; and

WHEREAS, the protection of the historic, archaeological and architectural character and resources of the Camden County is necessary for the promotion of its economic development; and

WHEREAS, the legislature of the State of Missouri has recognized the importance of protecting and preserving places, areas and neighborhoods of historical and cultural importance and significance by empowering cities to adopt regulations and restrictions for the protection of such places and areas, as provided by Chapter 64 and Chapter 253.415 of the Missouri Statutes.

NOW, THEREFORE, Be It Ordained by the Camden County Commission as follows:

The following Resolution is adopted:

Section I: General provisions

Purpose. The purpose of this article is to promote the educational, cultural, economic, and general welfare of the community by:

1. Providing a mechanism to identify and preserve the distinctive historic, archaeological and architectural characteristics of Camden County which represent elements of the county's cultural, social, economic, political, and architectural history;

2. Fostering civic pride in the beauty and noble accomplishments of the past as represented in Camden County's landmarks and Landmark and Preservation Areas;
3. Conserving and improving the value of property designated as landmarks or within Landmark and Preservation Areas;
4. Providing for economic benefits to encourage business and residential owners to locate and invest in historically significant properties;
5. Protecting and enhancing the attractiveness of the county to home buyers, tourists, visitors, and shoppers, and thereby supporting and promoting business, commerce and industry, and providing economic benefit to the County;
6. Fostering and encouraging preservation, restoration, and rehabilitation of the historic structures, areas and neighborhoods, and thereby preventing future urban blight;
7. Promoting the use of historic districts and landmarks for the education, pleasure, and welfare of the people of the County;
8. Promoting the identification, evaluation, protection and interpretation of the prehistoric and historic archaeological resources within the incorporated limits of the County.

Definitions. Unless specifically defined below, words or phrases in this ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this ordinance its most reasonable application.

1. **Alteration** - any act or process that changes one or more historic, architectural or physical features of an area, site, landscape, place and/or structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure; the expansion or significant modification of agricultural activities; and clearing, grading or other modification of an area, site, or landscape that changes its current condition.
2. **Area** - A specific geographic division of the Camden County.
3. **Board of Adjustment** - The board established by the Camden County Commission as part of Camden County's Planning and Zoning Ordinance.

4. ***Certificate of Appropriateness*** - A certificate issued by the Historic Preservation Commission (HPC) indicating its approval of plans for alteration, construction, removal or demolition of a landmark or of a structure within a historic district.
5. ***Certificate of Economic Hardship*** - A certificate issued by the HPC authorizing an alteration, construction, removal or demolition, even though a certificate of appropriateness has previously been denied.
6. ***Construction*** - The act of adding an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.
7. ***Cultural Resources*** - Districts, buildings, sites, structures, objects and evidence of some importance to a culture, a subculture, or a community for scientific, engineering, art tradition, religious or other reasons, significant in providing resource and environmental data necessary for the study and interpretation of past lifeways and for interpreting human behavior.
8. ***Demolition*** - Any act or process which destroys in part or in whole a Landmark or a structure within a Historic District, or which threatens to destroy a Landmark or a structure within a Historic District, or which destroys or threatens to destroy a potentially significant property or structure by failure to maintain it in a condition of good repair and maintenance.
9. ***Design Guideline*** - A standard of appropriate activity that will preserve the historic, prehistoric, architectural, scenic or aesthetic character of a landmark or historic district.
10. ***Exterior Architectural Appearance*** - The architectural character and general composition of the exterior of a structure, including but not limited to the kind, color and texture of the building material and the type, design and character of all windows, doors, light fixtures, signs, and appurtenant elements.
11. ***HPC*** - Members of the Historic Preservation Commission.
12. ***Historic significance*** - Character, interest or value as part of the development, heritage, or culture of the community, county, state or country; as the location of an important local, county, state or national event; or through identification with a person or persons who made an important contribution to the development of the community, county, state or country.

13. **Landmark** - A property or structure designated as a "Landmark" by ordinance of the Camden County, pursuant to procedures prescribed herein, which is worthy of rehabilitation, restoration, interpretation and preservation because of its historic, architectural or archaeological significance to the Camden County.
14. **Landmark and Preservation Area**- An area designated as a "Landmark and Preservation Area" by ordinance of the County Commission which may include individual Landmarks, as well as other properties or structures which, while not of such historic and or architectural significance to be designated as Landmarks, nevertheless contribute to the overall visual characteristics and historical significance of the Landmark and Preservation Area.
15. **Ordinary Maintenance** - Any work for which a building permit is not required by municipal ordinance, where the purpose and effect of such work is to correct any deterioration or decay of, or damage to, a structure or any part thereof and to restore the same, as nearly as may be practical, to its condition prior to the occurrence of such deterioration, decay or damage, and does not involve change of materials nor of form.
16. **Owner of Record** - The person, corporation or other legal entity listed as owner on the records of the County Recorder of Deeds.
17. **Public Improvement Project** - An action by the Camden County Commission or any of its departments or agencies involving major modification or replacement of streets, sidewalks, curbs, street lights, street or sidewalk furniture, landscaping, parking, or other portions of the public infrastructure servicing commercial, residential, recreational or industrial development; or any undertakings affecting county parks or county owned structures.
18. **Removal** - Any relocation of a structure, object or artifact on its site or to another site.
19. **Repair** - Any change that is not construction, alteration, demolition or removal and is necessary or useful for continuing normal maintenance and upkeep.
20. **Secretary of the Interior's Standards** - The Secretary of the Interior's Standards for the Treatment of Historic Properties are sets of treatment standards intended to assist users in making sound historic preservation decisions for the preservation, rehabilitation, restoration or reconstruction of historic properties. The Standards are codified as 36 CFR Part 68 in the July 12, 1995, Federal Register (Vol. 60, No. 133).

21. **Site** - The traditional, documented or legendary location of an event, occurrence, action or structure significant in the life or lives of a person, persons, groups, or tribe, or any place with evidence of past human activity. Sites include, but are not limited to, cemeteries, burial grounds, occupation and work areas, evidence of farming or hunting and gathering, battlefields, settlements, estates, gardens, groves, river crossings, routes and trails, caves, quarries, mines or significant trees or other plant life.
22. **Stop Work Order** - An order directing an owner, occupant, contractor or subcontractor to halt an action for which a certificate of appropriateness is required, and notifying the owner, occupant, contractor or subcontractor of the application process for a certificate of appropriateness.
23. **Structure** - Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but without limiting the generality of the foregoing, buildings, fences, gazebos, advertising signs, billboards, backstops for tennis courts, radio and television antennae and towers, and swimming pools.
24. **Survey** - The systematic gathering of information on the architectural, historic, scenic, and archaeological significance of buildings, sites, structures, areas, or landscapes, through visual assessment in the field and historical research for the purpose of identifying landmarks or districts worthy of preservation.

Section II: Historic Preservation Commission

Composition of Historic Preservation Commission. The Historic Preservation Commission (HPC) shall consist of seven (7) members, residents of the Camden County, all of whom shall be appointed by the County Commission. In addition, a member of the County Commission and of the Planning and Zoning Commission shall be appointed to serve as liaison. The County Commission and Planning and Zoning Commission representatives shall vote but shall not hold office. All Commission members must have a demonstrated interest, competence or knowledge in historic preservation. To the extent available in the community the HPC shall include professional members representing such disciplines as architecture, architectural history, prehistoric and historic archaeology, planning, urban design, cultural geography, cultural anthropology, folklore, curation, conservation, landscape architecture, law, real estate brokerage, banking, history or other fields related to historic preservation, and residents of historic districts or potential historic districts.

Terms. The terms of office of the members of the HPC shall be for three years, excepting that the membership of the first HPC appointed shall serve respectively for terms of two for one year; two for two years; and three for three years. Vacancies shall be filled for the unexpired term only. Action to fill vacancies shall be initiated within 60 days. The HPC shall hold at least four (4) meetings per year and any member of the

HPC who fails to attend at least fifty percent (50%) of all meetings, regular and special, in any calendar year, shall thereby automatically vacate the membership.

Officers. Officers shall consist of a chairman and a vice-chairman elected by the HPC who shall each serve a term of one (1) year and shall be eligible for re-election; but no member shall serve as chairman for more than two (2) consecutive years. The County Commission and Planning and Zoning Commission representatives shall not be eligible for office. The chairman shall preside over meetings. In the absence of the chairman, the vice-chairman shall perform the duties of the chairman. If both are absent, a temporary chairman shall be elected by those present. The secretary of the HPC shall be appointed by the Planning and Zoning Department and shall have the following duties:

1. Take minutes of each HPC meeting;
2. Be responsible for publication and distribution of copies of the minutes, reports, and decisions to the members of the HPC;
3. Give notice as provided herein by law for all public hearings conducted by the HPC;
4. Advise the County Commission of vacancies on the HPC and expiring terms of members; and
5. Prepare to submit to the County Commission a complete record of the proceedings before the HPC on any matter requiring County Commission consideration.

Meetings. A quorum shall consist of four of the members. All decisions or actions of the HPC shall be made by a majority vote of those members present and voting at any meeting where a quorum exists. Meetings shall be held at regularly scheduled times to be established by resolution of the HPC at the beginning of each calendar year or at any time upon the call of the chairman, but no less than once each quarter. Public notice of all meetings shall be posted in conformance with standard County policy and RSMO Section 610.020. No member of the HPC shall vote on any matter that may materially or apparently affect the property, income, or business interest of that member. No action shall be taken by the HPC that could in any manner deprive or restrict the owner of property in its use, modification, maintenance, disposition, or demolition until such owner shall first have had the opportunity to be heard at public meeting of the HPC, as provided herein. The chairman, and in his absence, the acting chairman, may administer oaths and require the attendance of witnesses. All meetings of the HPC shall be open to the public except as allowed by State law. The HPC shall keep minutes of its proceedings, showing the vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the Office of the County Clerk and shall be public record. All HPC rules of procedure, designation criteria, design guidelines and forms shall be available to the

public at the Office of the County Clerk and the Camden County Planning and Zoning Commission.

Funding. The County Commission shall annually appropriate funds, within the budget limitations, for the operation of the HPC. The HPC may, with the consent of the County Commission, apply for, receive, or expend any federal, state or private grant, grant-in-aid, gift or bequest, in furtherance of the general purposes of this ordinance.

Compensation. The members shall serve without compensation but shall be reimbursed for expenses they incur while on commission business.

Powers and Duties. The HPC shall have the following powers and duties:

1. To adopt its own by-laws and procedural regulations, provided that such regulations are consistent with this chapter and the Revised Statutes of the State of Missouri;
2. To conduct an ongoing survey for the identification of historically, archaeologically and architecturally significant properties, structures, sites and areas that exemplify the cultural, social, economic, political, or architectural history of the nation, state or county; and to maintain the research information in an inventory accessible to the public (except for archaeological site locations, which shall be restricted);
3. To investigate, and recommend to the Planning and Zoning Commission the adoption of ordinances designating for protection properties or structures having special cultural, historic, archaeological, community or architectural value as "Landmarks";
4. To investigate and recommend to the Planning and Zoning Commission the adoption of ordinances designating for protection areas as having special cultural, historic, archaeological, community or architectural value as "Historic Districts";
5. To keep a register of all properties and structures which have been designated as Landmarks or Historic Districts, including all information required for each designation;
6. To confer recognition upon the owners of Landmarks and property or structures within Historic Districts by means of certificates, plaques, or markers;
7. To advise and assist owners of Landmarks and property or structures within Historic Districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on the National Register of Historic Places;

8. To nominate Landmarks and Historic Districts to the Missouri Historic Register, and to the National Register of Historic Places, and to review and comment on any nominations to the National Register of Historic Places;
9. To inform and educate the citizens of the Camden County concerning the historic, archaeological and architectural heritage of the County through publication or sponsorship of maps, newsletters, brochures, pamphlets, programs and seminars by the County, the HPC, or other appropriate parties;
10. To hold public hearings and to review applications for construction, alteration, removal or demolition affecting proposed or designated Landmarks or structures within Historic Landmark and Preservation Area and issue or deny Certificates of Appropriateness for such actions. Applicants may be required to submit plans, drawings, elevations, specifications, and other information as may be necessary to make decisions;
11. To hold public hearings on each proposed nomination of a Landmark and of a Historic District and on the guidelines developed for each nomination;
12. To request the Planning and Zoning Commission to issue stop work orders for any construction, alteration, removal or demolition undertaken without a Certificate of Appropriateness or to stop work that violates the conditions of a certificate;
13. To review all applications for demolition permits in Camden County to determine impact to significant cultural resources, including those not yet nominated as Landmarks or as contributing properties within an Historic District;
14. To consider applications for Certificates of Economic Hardship that would allow the performance of work for which a Certificate of Appropriateness has been denied;
15. To develop specific design guidelines based on the Secretary of the Interior's Standards for Rehabilitation for the alteration, construction, or removal of Landmarks or property and structures within Historic Districts;
16. To review proposed zoning amendments, applications for special use permits, or applications for zoning variances that affect proposed or designated Landmarks or Historic Districts;

17. To administer on behalf of Camden County any property of historical significance or full or partial interest in real property, including easements, that the Camden County may have or accept as a gift or otherwise, upon approval by the County Commission;
18. To accept and administer on behalf of the Camden County, upon approval of the County Commission, such gifts, grants, and money as may be appropriate for the purposes of this ordinance. Such money may be expended for publishing maps and brochures or for hiring staff persons or consultants or performing other functions for the purpose of carrying out the duties and powers of the HPC and the purposes of this ordinance;
19. To call upon available county staff members as well as other experts for technical advice;
20. To retain such specialists or consultants or to appoint such citizen advisory committees as may be required from time to time;
21. To testify before all boards and commissions, including the Planning and Zoning Commission and the Board of Adjustment, on any matter affecting historically, archaeologically, culturally and architecturally significant property, structures, sites and areas;
22. To make recommendations to the County Commission concerning budgetary appropriations to further the general purposes of this ordinance;
23. To provide input to the preservation component in the Master Plan of Camden County and to recommend it to the Planning and Zoning Commission;
24. To periodically review the Camden County Zoning Ordinance and to recommend to the Planning and Zoning Commission any amendments appropriate for the protection and continued use of Landmarks or property, sites and structures within Historic Districts;
25. To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or to implementation of the purpose of this ordinance; and
26. To review any and all requests made of the Camden County Planning and Zoning Commission or the Camden County Board of Adjustment that might impact landmarks or Landmark and Preservation Areas.

Section III: Surveys and Research

The HPC shall undertake an ongoing survey and research effort in Camden County to identify neighborhoods, areas, sites, structures, and objects that have historic, cultural, archaeological, architectural or aesthetic importance, interest or value, and shall maintain an inventory of that information. Before the HPC shall on its own initiative nominate any landmark or district for designation, it shall develop a plan and schedule for conducting a comprehensive survey of Camden County to identify significant resources. As part of the survey, the HPC shall review and evaluate any prior surveys and studies by any unit of government or private organization and compile appropriate descriptions, facts, and photographs. The HPC shall systematically identify potential Landmarks and Historic Districts and adopt procedures to nominate them based upon the following criteria:

1. The potential Landmarks and Landmark and Preservation Areas in one identifiable neighborhood or distinct geographical area of Camden County;
2. The potential Landmarks and Landmark and Preservation Areas associated with a particular person, event, or historical period;
3. The potential Landmarks and Landmark and Preservation Areas of a particular architectural style or school, or of a particular architect, engineer, builder, designer, or craftsman;
4. The potential Landmarks and Landmark and Preservation Areas containing historic and prehistoric archaeological resources with the potential to contribute to the understanding of historic and prehistoric cultures;
5. Such other criteria as may be adopted by the HPC to assure systematic survey and nomination of all potential Landmarks and Landmark and Preservation Areas within Camden County.

All inventory material shall be in conformance with standards and guidelines for cultural resource inventory as established by the State Historic Preservation Office.

Section IV: Nomination of Landmarks and Landmark and Preservation Areas

General. Nominations shall be made to the HPC on a form prepared by the Camden County Planning and Zoning Commission and may be submitted by a member of the HPC, owner of record of the nominated property or structure, the Camden County Planning and Zoning Commission or the County Commission. Nominations shall be turned in to the Camden County Planning and Zoning Department, who will within seven (7) days of receipt mail a notification of intent to nominate to the owner of record of the nominated property. Forms and criteria for nomination will be available at the office of the Camden County Planning and Zoning Department.

Criteria for Consideration of Nomination. The HPC shall, upon such investigation as it deems necessary, make a determination as to whether a nominated property, structure, site, area or district meets one or more of the following criteria, based on Criteria for Evaluation for the National Register of Historic Places:

1. Its character, interest, or value as part of the development, heritage, or cultural characteristics of the community, county, state or country;
2. Its overall setting and harmony as a collection of buildings, structures, objects where the overall collection forms a unit;
3. Its potential to be returned to an accurate historic appearance regardless of alterations or insensitive treatment that can be demonstrated to be reversible;
4. Its location as a site of a significant local, county, state, or national event;
5. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or country;
6. Its embodiment of distinguishing characteristics of an architectural type valuable for the study of a period, type, method of construction, or use of indigenous materials;
7. Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the community, county, state, or country;
8. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
9. Its embodiment of design elements that make it structurally or architecturally innovative;
10. Its unique location or singular physical characteristic that make it an established or familiar visual feature of the neighborhood, community, or city;
11. Its character as a particularly fine or unique example of a utilitarian structure, including, but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance;
12. Its suitability for preservation or restoration; and
13. Its potential to yield information important to history and prehistory.

Any structure, property, or area that meets one or more of the above criteria shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration.

Public Hearing on Landmarks and Landmark and Preservation Areas. Upon receipt of a completed nomination of a Landmark or Historic District, the HPC shall schedule a public hearing to solicit input and comment on the proposed nomination and guidelines for Certificates of Appropriateness.

Report and Recommendation of HPC. The HPC shall within thirty (30) calendar days from receipt of a completed nomination in proper form adopt by resolution a recommendation that the nominated Landmark or Historic District does or does not meet the criteria for designation in Section IV of this ordinance. The resolution shall be accompanied by a report to the Planning and Zoning Commission containing the following information:

- a. Explanation of the significance or lack of significance of the nominated Landmark or Historic District as it relates to the criteria for designation;
- b. Explanation of the integrity or lack of integrity of the nominated Landmark or Historic District.

In the case of a nominated Landmark found to meet the criteria for designation:

- a. The significant exterior architectural features of the nominated Landmark that should be protected;
- b. The types of construction, alteration, demolition, and removal, other than those requiring a building or demolition permit, that should be reviewed for appropriateness;
- c. Archaeological significance and recommendations for interpretation and protection.

In the case of a nominated Historic District found to meet the criteria for designation:

- a. The types of significant exterior architectural features of the structures within the nominated Historic District that should be protected;
- b. The types of alterations and demolitions that should be reviewed for appropriateness;
- c. The type and significance of historic and prehistoric archaeological sites within the nominated Landmark and Preservation Area;

- d. Proposals for design guidelines of HPC review of Certificates of Appropriateness within the nominated Landmark or Landmark and Preservation Area;
- e. The relationship of the nominated Landmark or Landmark and Preservation Area to the ongoing effort of the HPC to identify and nominate all potential cultural resources that meet the criteria for designation;
- f. Recommendations as to appropriate permitted uses, special uses, height and area regulations, minimum dwelling size, floor area, sign regulations, lot size, and parking regulations necessary or appropriate to the preservation of the nominated Landmark or Landmark and Preservation Area, including recommendations for buffer zones to protect and preserve visual integrity;
- g. A map showing the location of the nominated Landmark and/or the boundaries of the nominated Landmark and Preservation Area.

The recommendations and report of the HPC shall be sent to the Planning and Zoning Commission within seven (7) days following the vote on the resolution and shall be available to the public in the office of the Camden County Planning and Zoning Department.

Notification of Nomination. The Planning and Zoning Commission shall schedule and hold a hearing on the nomination following receipt of a report and recommendation from the HPC that a nominated Landmark or Landmark and Preservation Area does or does not meet the criteria for designation. The meeting shall be scheduled, held and conducted in the same manner as other meetings to consider applications for zoning map amendments or ordinance amendments. Notice of the date, time, place and purpose of the meeting and a copy of the completed nomination form shall be sent by certified mail to the owner(s) of record and to the nominators.

Public Hearing. Oral or written testimony concerning the significance of the nominated Landmark or Landmark and Preservation Area shall be taken at the public hearing from any person concerning the nomination. The HPC may present expert testimony or present its own evidence regarding the compliance of the nominated Landmark or Landmark and Preservation Area with the criteria for consideration of a nomination set forth in Section IV of this ordinance. The owner of any nominated Landmark or of any property within a nominated Landmark and Preservation Area shall be allowed reasonable opportunity to present evidence regarding significance and shall be afforded the right of representation by counsel and reasonable opportunity to cross-examine expert witnesses. The hearing shall be closed upon completion of testimony.

Determination by Planning and Zoning Commission. Within sixty (60) calendar days following close of the public hearing, the Planning and Zoning Commission shall make a

determination upon the evidence whether the nominated Landmark or Landmark and Preservation Area does or does not meet the criteria for designation. Such a determination shall be made upon a motion and vote of the Planning and Zoning Commission and shall be accompanied by a report stating the findings of the Planning and Zoning Commission concerning the relationship between the criteria for designation in Section IV of this ordinance and the nominated Landmark or Landmark and Preservation Area.

Notification of Determination. Notice of the determination of the Planning and Zoning Commission, including a copy of the report, shall be sent by regular mail to the owner of record of a nominated Landmark and of all property within a nominated Landmark and Preservation Area and to the nominator within seven (7) days following adoption of the resolution. Within seven (7) days following a determination by the Planning and Zoning Commission that the nominated Landmark or Landmark and Preservation Area does meet the criteria for designation, a copy of the resolution and report accompanied by a recommendation that the nominated Landmark or Landmark and Preservation Area be designated shall be sent to the County Commission.

Appeal. A determination by the Planning and Zoning Commission that the nominated Landmark or Landmark and Preservation Area does not meet the criteria for designation shall be a final administrative decision reviewable under the Missouri Administrative Procedure and Review Act provided, however, that the nominator or any owner of the nominated Landmark or of property within the nominated Historic District, may within thirty (30) days after the postmarked date of the notice of the determination file with the County Clerk a written appeal to the County Commission.

Action by County Commission. The County Commission shall, within sixty (60) calendar days after receiving the recommendation that the nominated Landmark or Historic District be designated or receiving a written appeal, either reject the recommendation or written appeal by formal resolution or designate the Landmark or Historic District by an ordinance. The County Commission shall hold a public hearing before enacting the resolution or ordinance and provide notice and take testimony in the same manner as provided in Section IV of this ordinance. Any resolution or ordinance shall be accompanied by a written statement explaining the reasons for the action of the County Commission. The County Clerk shall provide written notification of the action of the County Commission by regular mail to the nominator, the appellant, and the owner(s) of record of the nominated Landmark or of all property within a nominated Landmark and Preservation Area. The notice shall include a copy of the designation ordinance or resolution passed by the County Commission and shall be sent within seven (7) days of the County Commission action. A copy of each designation ordinance shall be sent to the HPC and the Planning and Zoning Commission.

The Designation Ordinance. Upon designation, the Landmark or Landmark and Preservation Area shall be classified as a "District P1--Historic", and the designating ordinance shall prescribe the significant features; the types of construction, alteration, demolition, and removal, other than those requiring a building or demolition permit that

should be reviewed for appropriateness; the design guidelines for applying the criteria for review of appropriateness; permitted uses; special uses; height and area regulation; minimum dwelling size; floor area; lot size; sign regulation; and parking regulations. The official zoning map of the Camden County shall be amended to show the location of the "District H-Historic" as an overlay zone.

Interim Control. No zoning permit shall be issued by the Camden County Planning and Zoning Commission for alteration, construction, demolition, or removal of a nominated Landmark or of any property or structure within a nominated Landmark and Preservation Area from the date of the meeting of the HPC at which a nomination form is first presented until the final disposition of the nomination by the County Commission unless such alteration, removal, or demolition is authorized by formal resolution of the County Commission as necessary for public health, welfare, or safety. In no event shall the delay be for more than one hundred eighty (180) days.

Amendment and Rescission of Designation. Designation may be amended or rescinded upon petition to the HPC and compliance with the same procedure and according to the same criteria set forth herein for designation.

Section V: Applications for Certificates of Appropriateness

A Certificate of Appropriateness shall be required before the following actions affecting the significance of any Landmark or any structure within a Historic District may be undertaken:

1. Any construction, alteration, or removal requiring a building permit from the Camden County;
2. Any demolition in whole or in part requiring a demolition permit from the Camden County;
3. Any construction, alteration, demolition, or removal affecting a significant exterior architectural feature or appearance as specified in the ordinance designating the Landmark or Historic District;
4. Any construction, alteration or removal involving earth disturbing activities that might affect archaeological resources;
5. Any actions to correct a violation of a minimum maintenance standard.

Applications for a Certificate of Appropriateness shall include accompanying plans and specifications affecting the significance of a designated Landmark or of a property within a designated Historic District; and applications for demolition permits shall include plans and specifications for the contemplated use of the property. Applications for building and demolition permits shall be forwarded by the Camden County Planning and Zoning Department to the HPC within seven (7) days following receipt of the application. A

building or demolition permit shall not be issued until a Certificate of Appropriateness has been issued by the HPC. Any applicant may request a meeting with the HPC before the application is reviewed by the HPC or during the review of the application. Application for review of construction, alteration, demolition, or removal not requiring a building permit for which a Certificate of Appropriateness is required shall be made on a form prepared by the HPC and available at the office of the Camden County Planning and Zoning Commission. The HPC shall consider the completed application at its next regular meeting.

Stop Work Order. Whenever the HPC has reason to believe that an action for which a Certificate of Appropriateness is required has been initiated, or is about to be initiated, or that a violation of the conditions of a permit has occurred, it shall request that the Camden County Planning and Zoning Commission make every reasonable effort to contact the owners, occupants, contractor or subcontractor and inform them of proper procedures. If the HPC determines that a stop work order is necessary to halt an action, it shall request the Director of the Camden County Planning and Zoning Department to send a copy of the stop work order by certified mail return receipt requested to the owners, occupants, contractors and subcontractors, and notify them of the process of applying for a Certificate of Appropriateness. A copy of the proper application form shall be included in the notice. If necessary, a second or subsequent stop work order may be issued for the same project.

Section VI: Determination by the Historic Preservation Commission

The HPC shall review the application for a building or demolition permit or for a Certificate of Appropriateness and issue or deny the permit with forty-five (45) days of receipt of the application. Written notice of the approval or denial of the application for a Certificate of Appropriateness shall be provided the applicant and the Building Inspector within seven (7) days following the determination and shall be accompanied by a Certificate of Appropriateness in the case of an approval.

A Certificate of Appropriateness shall become void unless construction is commenced within six months of date of issuance. Certificates of Appropriateness shall be issued for a period of eighteen months and are renewable. If the project is not completed according to the guidelines provided in the Certificate of Appropriateness, the project shall be deemed in violation of this ordinance.

Denial of a Certificate of Appropriateness. A denial of a Certificate of Appropriateness shall be accompanied by a statement of the reasons for the denial. The HPC shall make recommendations to the applicant concerning changes, if any, in the proposed action that would cause the HPC to reconsider its denial and shall confer with the applicant and attempt to resolve as quickly as possible the differences between the owner and the HPC. The applicant may resubmit an amended application or reapply for a building or demolition permit that takes into consideration the recommendation of the HPC.

Section VII: Review of Public Improvement and Land Acquisition Projects

Public improvement and land acquisition projects by Camden County or any of its departments or agencies shall be reviewed by the HPC in the following manner:

1. The HPC shall review and comment upon any public improvement project proposed by Camden County or any of its agencies or departments within any historic district, on the site of or within two hundred (200) feet of any Landmarks, or within two hundred (200) feet of any boundary of a Landmark and Preservation Area. The Department of Public Works shall send a completed preliminary design for a public improvement project to the HPC simultaneously with its submission to the County Commission for approval. The HPC shall have at least thirty (30) days to complete its review and report to the County Commission, except when the Department of Public Works, if necessary to accelerate the design review process, may specify a time less than thirty (30) days within which the HPC shall complete its review and report to the County Commission.
2. The HPC shall review and comment upon any proposed acquisition of a Landmark or of land or buildings within a Landmark and Preservation Area by the County Commission or any of its agencies or departments. The County Commission or the Department of Public Works shall, at the earliest possible date that will not interfere with acquisition negotiations, send the HPC information concerning the location, size, purchase price, current use, and proposed use of the land or building to be acquired, and specify the date by which the HPC shall report to the County Commission.
3. The HPC shall review the public improvement or land acquisition projects to determine its effect upon the historic, archaeological or architectural character of the Landmark or Landmark and Preservation Area and report to the County Commission within any time specified by the County Commission or Planning and Zoning Commission but not to exceed forty-five (45) days. The report by the HPC shall include any recommendations for changes to the preliminary design or land acquisition that will lessen or alleviate any adverse effect of the proposed project upon the historic, archaeological or architectural character of the Landmark or Landmark and Preservation Area. The County Commission shall take no final action on the preliminary design or land acquisition until it has received and reviewed the report of the HPC.

Section VIII: Standards for Review

In considering an application for a building or demolition permit or for a Certificate of Appropriateness, the HPC shall be guided in principal by the Secretary of the Interior's Standards, as follows, in addition to any design guidelines in the ordinance designating the Landmark or Historic District. Applications, standards for review and design

guidelines shall be available in the office of the Camden County Planning and Zoning Department for distribution to the public.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential

form and integrity of the historic property and its environment would be unimpaired.

Section IX: Design Guidelines

Design guidelines for applying the criteria for review of Certificates of Appropriateness shall, at a minimum, consider the following architectural criteria:

1. **Height** - The height of any proposed alteration or construction should be compatible with the style and character of the Landmark and with surrounding structures in a Landmark and Preservation Area.
2. **Proportions of Windows and Doors** - The proportions and relationships between doors and windows should be compatible with the architectural style and character of the Landmark and with surrounding structures within a Landmark and Preservation Area.
3. **Relationship of Building Masses and Spaces** - The set back and relationship of a structure within a Landmark and Preservation Area to the open space between it and adjoining structures should be compatible.
4. **Roof Shape** - The design of the roof should be compatible with the architectural style and character of the Landmark, and with surrounding structures in a Landmark and Preservation Area.
5. **Landscaping** - Landscaping should be compatible with the architectural character and appearance of the Landmark and of surrounding structures and landscapes in Landmark and Preservation Areas.
6. **Scale** - The scale of the structure after alteration, construction, or partial demolition should be compatible with its architectural style and character and with surrounding structures in a Landmark and Preservation Area.
7. **Directional Expression** - Facades in Landmark and Preservation Areas should blend with other structures with regard to directional expression. Structures in a Landmark and Preservation Area should be compatible with the dominant horizontal or vertical expression of surrounding structures. The directional expression of a Landmark after alteration, construction, or partial demolition should be compatible with its original architectural style and character.
8. **Architectural Details** - Architectural details including materials, colors, and textures should be treated so as to make a Landmark compatible with its original architectural style and character and to preserve and enhance the architectural style or character of a Landmark or Landmark and Preservation Area.

9. **Signage** - The character of signs should be in keeping with the historic architectural character of a Landmark or Landmark and Preservation Area. Character of a sign includes the number, size, area, scale, location, type, (e.g., off-site advertising signs and on-site business signs), letter size or style, and intensity and type of illumination.
10. **Minimum Maintenance** - Significant features should be kept in a condition of good repair and maintenance. All structural and mechanical systems should be maintained in a condition and state of repair that will prevent decay, deterioration or damage to significant features, or otherwise adversely affect the historic or architectural character of structures within a Landmark and Preservation Area.

Section X: Certificate of Economic Hardship

Application for a certificate of economic hardship shall be made on a form prepared by the HPC only after a certificate of appropriateness has been denied. The HPC shall schedule a public hearing concerning the application and provide public notice and individual notice to the applicant, owners of record, and owners adjacent to the property in the same manner as required for a re-zoning request under the regulations of the Camden County Planning and Zoning Department, and any person may testify at the hearing concerning economic hardship. All testimony, objections thereto and rulings at such public hearing shall be taken down by a reporter employed by the county for that purpose, or, if electronic tape recording equipment is available, by such electronic means. The HPC may solicit expert testimony or require that the applicant for a certificate of economic hardship make submissions concerning any or all of the following information before it makes a determination on the application.

1. Estimate of the cost of the proposed construction, alteration, demolition or removal and an estimate of any additional cost that would be incurred to comply with the recommendations of the HPC for changes necessary for the issuance of a certificate of appropriateness;
2. A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;
3. Estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition or removal; after any changes recommended by the HPC, and, in the case of a proposed demolition, after renovation of the existing property for continued use;
4. In the case of a proposed demolition, an estimate from an architect, developer, real estate consultant, appraiser, or other real estate

professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure.

Section XI: Maintenance of Historic Properties

Ordinary Maintenance Exclusion. Nothing in the section shall be construed to prevent the ordinary maintenance or repair of any exterior elements of any building or structure.

Definition of Ordinary Maintenance. Any work, for which a building permit is not required by law, where the purpose and effect of such work is to correct any deterioration or decay of or damage to a structure or any part thereof and to restore the same, as nearly as may be practicable, to its condition prior to the occurrence of such deterioration, decay or damage.

Minimum Maintenance Requirement. All buildings and structures designated by city ordinance as "H" shall be preserved against decay and deterioration and free from certain structural defects in the following manner, by the owner thereof or such other person or persons who may have the legal custody and control thereof shall repair such building if it is found to have any of the following defects:

1. The deterioration of exterior walls or other vertical supports;
2. The deterioration of roofs or other horizontal members;
3. The deterioration of external chimneys;
4. The deterioration or crumbling of plasters or mortar;
5. The deterioration or ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors;
6. The peeling of paint, rotting, holes, and other forms of decay;
7. The lack of maintenance of surrounding environment, e.g., fences, gates, sidewalks, steps, signs, accessory structures, and landscaping;
8. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.

If minimum maintenance is not being maintained, the owner of the property or other person having legal custody thereof shall be notified by the Building Inspector. The notice shall be by certified mail and shall specify each item in the property or Landmark that fails to meet minimum maintenance requirements. The owner or other person having legal custody of the property shall have thirty (30) days from the receipt of notice

to comply with the minimum maintenance requirements. The HPC, for good cause shown, may extend the thirty (30) day period. If after the original thirty (30) day period or any extension granted by the Building Inspector the owner or person having legal custody of the property should fail to meet the minimum maintenance requirements, the owner or person having legal custody of the property shall be in violation of this section and punished in accordance with Section XV.

Section XII: Review of Applications for Zoning Amendments, Special Use Permits and Variances

Applications for zoning amendments, special use permits, or variances for a Landmark or structures within a Historic District shall be referred to the HPC by the Planning Department at least fifteen (15) days prior to the date of the public hearing set by the Planning and Zoning Commission or the Board of Adjustment. The HPC may review these applications using any format which it deems appropriate provided, however, that the applicant shall be notified of the time and place of such review and shall be given the opportunity to appear and be heard. Within fifteen (15) days after receipt of said application, the HPC shall forward its comments to the Planning and Zoning Department for presentation to the Planning and Zoning Commission for their consideration in reviewing the application.

Section XIII: Appeals

If the HPC denies an application for a Certificate of Appropriateness, the HPC shall work with the applicant to arrive at a mutually satisfactory alternative to the proposed activities. If agreement cannot be reached within six months, the applicant may file with the Camden County Planning and Zoning Commission a written appeal to the Board of Adjustment. In acting upon the appeal, the Board may grant a variance from the strict interpretation of this ordinance when such will not materially affect the health or safety of the applicant and general public.

Section XIV: Public Safety Exclusion

None of the provisions of this ordinance shall be construed to prevent any measures of construction, alteration, or demolition necessary to correct or abate the unsafe or dangerous condition of any structure, other feature or part thereof, where such condition has been declared unsafe or dangerous by the Building Inspector, and where the proposed measures have been declared necessary, by such department or departments, to correct the said condition; provided, however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed pursuant to this section. In the event any structure or other feature shall be damaged by fire or other calamity, or by Act of God or by the public enemy, to such an extent that in the opinion of the aforesaid department or departments it cannot reasonably be repaired and restored, it may be removed in conformity with normal permit procedures and applicable laws.

Section XV: Fees and Penalties

The Board shall establish an appropriate system of processing fees for the review of nominations and Certificates of Appropriateness.

It shall be unlawful for any person to undertake or cause an alteration, construction, demolition or removal of any nominated or designated Landmark or structure within a nominated or designated Historic District without a Certificate of Appropriateness.

It shall be unlawful to not maintain designated Landmarks or structures within designated Historic Districts within the minimum maintenance requirements of Section XI of this ordinance.

Any person convicted of violating the provisions of this ordinance shall be punished by a fine no greater than Five Hundred Dollars (\$500.00) or confinement in the city jail for a period not to exceed sixty (60) days, or both fine and confinement. Each day each violation shall continue to exist shall constitute a separate violation.

APPENDIX I: RESERVED

APPENDIX J: BUFFER, LANDSCAPING, AND OPEN SPACE

J-1: BUFFER PROVISIONS

All R-3 High Density Residential and higher intensity zoning district (B-2, B-3, & I-1) projects that border property that has a R-1 Low Density Residential or lower intensity zoning district (A-1, A-R, P-1, or P-2) designation must provide a 50% visual buffer or screen, under fall or winter conditions, using the following guidelines:

- A. The required width of a buffer or screen will vary depending on the situation, but the minimum width should not reduce below 25-feet unless a wall or fence is used. Along a roadway the required buffer could be as much as 40-feet wide to meet the 50% visual requirement.
- B. The use of natural existing vegetation or natural vegetation augmented with plantings is strongly preferred over new plantings.
- C. Any plantings used to augment existing vegetation for buffers should blend in with the existing vegetation.
- D. All new shrub (low to medium height) plantings must be initially a minimum of 2-feet in height with an expected 5-foot in height to be reached within two years.
- E. The use of a solid fence or wall as a buffer or screen is allowed so long as the width of the buffer does not reduce below 15-feet and some vegetative plantings are used to soften the impact of the wall or fence.
- F. No roadway, sidewalk, storage area, merchandise display, etc. may be placed within a required buffer area without specific approval by the Planning Commission.
- G. Whenever a vehicular or pedestrian traffic-way passes through buffer yard vegetation may be cleared back to a distance of 10-feet for roadways and 5-feet for sidewalks.

J-2: LANDSCAPING PROVISIONS

All R-3 High Density Residential and higher intensity zoning district (B-2, B-3, & I-1) projects must provide landscaping using the following guidelines:

- A. A minimum of fifteen (15) percent of the gross site or project area shall be landscaped with live plant materials. Projects with buildings in excess of one story in height shall provide an additional two (2) percent of the gross site area in landscaping for each story over one story in height. For this calculation only the tallest building is used to calculate the additional

percentage not each building. Small or unique parcels may be allowed to vary from this standard if in the opinion of the Planning Commission special consideration is merited and alternative requirements can be agreed upon.

- B. A minimum of one tree (A tall woody plant having comparatively great height and a single trunk) shall be provided for each 500 square feet of required landscaped area. Any existing trees retained on the project can be counted toward this requirement; however trees used to meet the landscaping requirements, whether existing or new plantings, must have a widespread pattern or uniform spacing.
- C. When a project is required to have a buffer or screen and that buffer is wholly vegetative it may be counted toward the required landscaped area.
- D. To demonstrate that compliance with these landscaping provisions have been met a Landscape Plan must be submitted to be reviewed at the administrative level. The Planning Commission may require the submitted Landscape Plan to be prepared by and bear the stamp of a Landscape Architect or Architect licensed to practice in the State of Missouri.
- E. The following elements must be shown on any landscape plan:
 - 1. Existing and proposed contours at 5-foot intervals or less;
 - 2. Boundary lines and lot dimensions;
 - 3. Date, graphic scale, north arrow, titles and name of owner, and the phone number of the person or firm responsible for the landscape plan;
 - 4. Location of all proposed structures and storage areas;
 - 5. Drainage features and one-hundred (100) year floodplain, if applicable;
 - 6. Parking lot layout including parking stalls, bays, and driving lanes;
 - 7. Existing and proposed utility lines, and easements;
 - 8. All impervious surfaces;
 - 9. Existing trees or natural areas to be retained **; and,
 - 10. The location of all required landscaped areas ** (buffers, screens, open-spaces, landscaped areas).

** All existing and proposed plantings must be identified in a legend by type with a commercial name and coded with either an alpha or numeric designation and clear graphical representation as to their location on the landscape plan using the code.

J-3 OPEN SPACE

- A. Open space that is created to meet the impervious coverage minimums for the Commercial and Industrial zoning districts may be used to meet the landscape requirements only if those areas used as such are completely vegetated. Impervious cover is interpreted to include any man made surface that is impervious to water penetration.
- B. Any open space provided that exceeds the required landscaped area can be used as open space amenities such as recreational facilities so long as no impervious coverage is used.

APPENDIX K: WIRELESS TELECOMMUNICATIONS FACILITIES SITING ORDINANCE FOR CAMDEN COUNTY

K-1: Purpose and Legislative Intent

The Telecommunications Act of 1996 affirmed Camden County, Missouri's authority concerning the placement, construction and modification of Wireless Telecommunications Facilities. The County of Camden, Missouri finds that Wireless Telecommunications Facilities may pose significant concerns to the health, safety, public welfare, character and environment of the County and its inhabitants. The County also recognizes that facilitating the development of wireless service technology can be an economic development asset to the County and of significant benefit to the County and its residents. In order to insure that the placement, construction or modification of Wireless Telecommunications Facilities is consistent with the County's land use policies, the County is adopting a single, comprehensive, Wireless Telecommunications Facilities application and permit process. The intent of this Regulation is to minimize the impact of Wireless Telecommunications Facilities, establish a fair and efficient process for review and approval of applications, assure an integrated, comprehensive review of environmental impacts of such facilities, and protect the health, safety and welfare of the Camden County, Missouri.

K-2: Title

This Ordinance shall be known and cited as the Wireless Telecommunications Facilities Siting Ordinance for Camden County

K-3: Severability

- A) If any word, phrase, sentence, part, section, subsection, or other portion of this Ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed Application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.
- B) Any Conditional Use Permit issued under this Ordinance shall be comprehensive and not severable. If part of a permit is deemed or ruled to be invalid or unenforceable in any material respect, by a competent authority, or is overturned by a competent authority, the Permit shall be void in total, upon determination by the County.

K-4: Definitions

For purposes of this Ordinance, and where not inconsistent with the context of a particular section, the defined terms, phrases, words, abbreviations, and their derivations shall have the meaning given in this section. When not inconsistent with the context, words in the present tense include the future tense, words used in the plural number include words in the singular number and words in the singular number include the plural number. The word "shall" is always mandatory, and not merely directory.

- 1) **"Accessory Facility or Structure"** means an accessory facility or structure serving or being used in conjunction with Wireless Telecommunications Facilities, and located on the same property or lot as the Wireless Telecommunications Facilities, including but not limited to, utility or transmission equipment storage sheds or cabinets.
- 2) **"Applicant"** means any Wireless service provider submitting an Application for a Conditional Use Permit for Wireless Telecommunications Facilities.
- 3) **"Application"** means all necessary and appropriate documentation that an Applicant submits in order to receive a Conditional Use Permit for Wireless Telecommunications Facilities.
- 4) **"Antenna"** means a system of electrical conductors that transmit or receive electromagnetic waves or radio frequency or other wireless signals.
- 5) **"Co-location"** means the use of an existing Tower or structure to support Antennae for the provision of wireless services. A replacement tower that is constructed on the same site as an existing tower will be considered a co-location as long as the new tower is no taller than the old tower and that the old tower is removed in a reasonable short timeframe after the new tower is constructed.
- 6) **"Commercial Impracticability" or "Commercially Impracticable"** means the inability to perform an act on terms that are reasonable in commerce; the cause or occurrence of which could not have been reasonably anticipated or foreseen and that jeopardizes the financial efficacy of the project. The inability to achieve a satisfactory financial return on investment or profit, standing alone, shall not deem a situation to be "commercially impracticable" and shall not render an act or the terms of an agreement "commercially impracticable".
- 7) **"Completed Application"** means an Application that contains all information and/or data necessary to enable an informed decision to be made with respect to an Application.

- 8) **"Commission"** means the Planning & Zoning Commission of Camden County, Missouri.
- 9) **"FAA"** means the Federal Aviation Administration, or its duly designated and authorized successor agency.
- 10) **"FCC"** means the Federal Communications Commission, or its duly designated and authorized successor agency.
- 11) **"Height"** means, when referring to a Tower or structure, the distance measured from the pre-existing grade level to the highest point on the Tower or structure, even if said highest point is an Antenna or lightening protection device.
- 12) **"Modification" or "Modify"** means, the addition, removal or change of any of the physical and visually discernable components or aspects of a wireless facility, such as antennas, cabling, equipment shelters, landscaping, fencing, utility feeds, changing the color or materials of any visually discernable components, vehicular access, parking and/or an upgrade or change out of equipment for better or more modern equipment. Adding a new wireless carrier or service provider to a Telecommunications Tower or Telecommunications Site as a co-location is a modification. A Modification shall not include the replacement of any components of a wireless facility where the replacement is identical to the component being replaced or for any matters that involve the normal repair and maintenance of a wireless facility without adding, removing or changing anything.
- 13) **"NIER"** means Non-Ionizing Electromagnetic Radiation.
- 14) **"Person"** means any individual, corporation, estate, trust, partnership, joint stock company, association of two (2) or more persons having a joint common interest, or any other entity.
- 15) **"Personal Wireless Facility"** See definition for 'Wireless Telecommunications Facilities'.
- 16) **"Personal Wireless Services" or "PWS" or "Personal Telecommunications Service" or "PCS"** shall have the same meaning as defined and used in the 1996 Telecommunications Act.
- 17) **"Repairs and Maintenance"** Means the replacement of any components of a wireless facility where the replacement is identical to the component being replaced or for any matters that involve the normal repair and maintenance of a wireless facility without the addition, removal or change

of any of the physical or visually discernable components or aspects of a wireless facility that will add to the visible appearance of the facility as originally permitted.

- 18) **"Conditional Use Permit"** means the official document or permit by which an Applicant is allowed to file for a construction permit to build and use Wireless Telecommunications Facilities as granted or issued by the County.
- 19) **"Stealth" or "Stealth Technology"** means to minimize adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such Wireless Telecommunications Facilities, which shall mean using the least visually and physically intrusive facility that is not technologically or commercially impracticable under the facts and circumstances.
- 20) **"State"** means the State of Missouri.
- 21) **"Telecommunications"** means the transmission and/or reception of audio, video, data, and other information by wire, radio frequency, light, and other electronic or electromagnetic systems.
- 22) **"Telecommunication Site"** See definition for Wireless Telecommunications Facilities.
- 23) **"Telecommunications Structure"** means a structure used in the provision of services described in the definition of 'Wireless Telecommunications Facilities'.
- 24) **"Temporary"** means, temporary in relation to all aspects and components of this Ordinance, something intended to, or that does not exist for more than ninety (90) days.
- 25) **"Tower"** means any structure designed primarily to support an antenna for receiving and/or transmitting a wireless signal.
- 26) **"Wireless Telecommunications Facilities"** means and includes a **"Telecommunications Site"** and **"Personal Wireless Facility"**. It means a structure, facility or location designed, or intended to be used as, or used to support Antennas or other transmitting or receiving devices. This includes without limit, Towers of all types and kinds and structures, including, but not limited to buildings, church steeples, silos, water towers, signs or other structures that can be used as a support structure for Antennas or the functional equivalent of such. It further includes all related facilities and equipment such as cabling, equipment shelters and

other structures associated with the site. It is a structure and facility intended for transmitting and/or receiving radio, television, cellular, SMR, paging, 911, Personal Communications Services (PCS), commercial satellite services, microwave services and any commercial wireless telecommunication service not licensed by the FCC.

K-5: Overall Policy and Desired Goals for Conditional Use Permits for Wireless Telecommunications Facilities.

In order to ensure that the placement, construction, and modification of Wireless Telecommunications Facilities protects the County's health, safety, public welfare, environmental features, the nature and character of the community and neighborhood and other aspects of the quality of life specifically listed elsewhere in this Ordinance, the County hereby adopts an overall policy with respect to a Conditional Use Permit for Wireless Telecommunications Facilities for the express purpose of achieving the following goals:

- A) Requiring a Conditional Use Permit for any new, co-location or modification of a Wireless Telecommunications Facility.
- B) Implementing an Application process for person(s) seeking a Conditional Use Permit for Wireless Telecommunications Facilities;
- C) Establishing a policy for examining an application for and issuing a Conditional Use Permit for Wireless Telecommunications Facilities that is both fair and consistent.
- D) Promoting and encouraging, wherever possible, the sharing and/or co-location of Wireless Telecommunications Facilities among service providers
- E) Promoting and encouraging, wherever possible, the placement, height and quantity of Wireless Telecommunications Facilities in such a manner, including but not limited to the use of stealth technology, to minimize adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such Wireless Telecommunications Facilities, which shall mean using the least visually and physically intrusive facility that is not technologically or commercially impracticable under the facts and circumstances.
- F) That in granting a Conditional Use Permit, the County has found that the facility shall be the most appropriate site as regards being the least visually intrusive among those available in the County.

K-6: Exceptions from a Conditional Use Permit for Wireless Telecommunications Facilities.

- A) Except as otherwise provided by this ordinance no Person shall be permitted to site, place, build, construct, modify or prepare any site for the placement or use of, Wireless Telecommunications Facilities as of the effective date of this Ordinance without having first obtained a Conditional Use Permit for Wireless Telecommunications Facilities. Notwithstanding anything to the contrary in this section, no Conditional Use Permit shall be required for those non-commercial exceptions noted in Section 7.
- B) All legally permitted Wireless Telecommunications Facilities, constructed as permitted, existing on or before the effective date of this Ordinance shall be allowed to continue as they presently exist, provided however, that any visible modification of an existing Wireless Telecommunications Facility will require the complete facility and any new installation to comply with this Ordinance.
- C) Any Repair and Maintenance of a Wireless Facility does not require an Application for a Conditional Use Permit.

K-7: Exclusions- The following shall be exempt from this Ordinance:

- A) The County's fire, police, department of transportation or other public service facilities owned and operated by the local government.
- B) Any facilities expressly exempt from the County's siting, zoning and permitting authority.
- C) Over-the-Air reception Devices including the reception antennas for direct broadcast satellites (DBS), multi-channel multipoint distribution (wireless cable) providers (MMDS), television broadcast stations (TVBS) and other customer-end antennas that receive and transmit fixed wireless signals that are primarily used for reception.
- D) Facilities exclusively for private, non-commercial radio and television reception and private citizen's bands, licensed amateur radio and other similar non-commercial Telecommunications.
- E) Facilities exclusively for providing unlicensed spread spectrum technologies (such as IEEE 802.11a, b, g (Wi-Fi) and Bluetooth) where the facility does not require a new tower.

K-8: Conditional Use Permit Application and Other Requirements

- A) All Applicants for a Conditional Use Permit for Wireless Telecommunications Facilities or any modification of such facility shall

comply with the requirements set forth in this Ordinance. The County Planning Department is the officially designated agency or body of the County to whom applications for a Conditional Use Permit for Wireless Telecommunications Facilities must be made. The County Planning & Zoning Commission is authorized to review, analyze, evaluate and make decisions with respect to granting or not granting or revoking Conditional Use Permits for Wireless Telecommunications Facilities. The County may at its discretion delegate or designate other official agencies or officials of the County to accept, review, analyze, evaluate and make recommendations to the County Planning Commission with respect to the granting or not granting or revoking Conditional Use Permits for Wireless Telecommunications Facilities.

- B) The County may reject applications not meeting the requirements stated herein or which are otherwise incomplete.
- C) No Wireless Telecommunications Facilities shall be installed, constructed or modified until the Application is reviewed and approved by the Commission, and the Conditional Use Permit has been issued.
- D) Any and all representations made by the Applicant to the County on the record during the Application process, whether written or verbal, shall be deemed a part of the Application and may be relied upon in good faith by the County.
- E) An Application for a Conditional Use Permit for Wireless Telecommunications Facilities shall be signed on behalf of the Applicant by the person preparing the same and with knowledge of the contents and representations made therein and attesting to the truth and completeness of the information.
- F) The Applicant must provide documentation to verify it has the right to proceed as proposed on the Site. This would require an executed copy of the lease with the landowner or landlord or a signed letter acknowledging authorization. If the applicant owns the site, a copy of the ownership record is required.
- G) The Applicant shall include a statement in writing:
 - 1) That the applicant's proposed Wireless Telecommunications Facilities shall be maintained in a safe manner, and in compliance with all conditions of the Conditional Use Permit, without exception, unless specifically granted relief by the County in writing, as well as all applicable and permissible local codes, ordinances, and regulations, including any and all applicable County, State and Federal Laws, rules, and regulations;

- 2) That the construction of the Wireless Telecommunications Facilities is legally permissible, including, but not limited to the fact that the Applicant is authorized to do business in the State.
- H) Where a certification is called for in this Ordinance, such certification shall bear the signature and seal of a Registered Professional licensed in the State of Missouri.
- I) In addition to all other required information as stated in this ordinance, all applications for the construction or installation of new Wireless Telecommunications Facilities or modification of an existing facility shall contain the information hereinafter set forth.
- 1) A descriptive statement of the objective(s) for the new facility or modification including and expanding on a need such as coverage and/or capacity requirements;
 - 2) Documentation that demonstrates and proves the need for the Wireless Telecommunications Facility to provide service primarily and essentially within the County. Such documentation shall include propagation studies of the proposed site and all adjoining planned, proposed, in-service or existing sites that demonstrate a significant gap in coverage and/or if a capacity need, including an analysis of current and projected usage;
 - 3) The name, address and phone number of the person preparing the report;
 - 4) The name, address, and phone number of the property owner and Applicant, and to include the legal name of the Applicant. If the site is a tower and the owner is different than the applicant, provide name and address of the tower owner;
 - 5) The postal address and tax map parcel number of the property;
 - 6) The Zoning District or designation in which the property is situated;
 - 7) Size of the property stated both in square feet and lot line dimensions, and a survey showing the location of all lot lines;
 - 8) The location of nearest residential structure;
 - 9) The location, size and height of all existing and proposed structures on the property which is the subject of the Application;
 - 10) The type, locations and dimensions of all proposed and existing landscaping, and fencing;

- 11) The azimuth, size and center-line height location of all proposed and existing antennae on the supporting structure;
 - 12) The number, type and model of the Antenna(s) proposed with a copy of the specification sheet;
 - 13) The make, model, type and manufacturer of the Tower and design plan stating the Tower's capacity to accommodate multiple users;
 - 14) A site plan describing the proposed Tower and Antenna(s) and all related fixtures, structures, appurtenances and apparatus, including height above pre-existing grade, materials, color and lighting;
 - 15) The frequency, modulation and class of service of radio or other transmitting equipment;
 - 16) The actual intended transmission power stated as the maximum effective radiated power (ERP) in watts;
 - 17) Signed documentation such as the "Checklist to Determine Whether a Facility is Categorically Excluded" to verify that the Wireless Telecommunication Facility with the proposed installation will be in full compliance with the current FCC RF Emissions guidelines (NIER). If not categorically excluded, a complete RF Emissions study is required to provide verification;
 - 18) A signed statement that the proposed installation will not cause physical or RF interference with other telecommunications devices;
 - 19) A copy of the FCC license applicable for the intended use of the Wireless Telecommunications Facilities;
 - 20) A copy of the geotechnical sub-surface soils investigation, evaluation report and foundation recommendation for a proposed or existing Tower site and if existing Tower or water tank site, a copy of the installed foundation design.
- J) The applicant will provide a written copy of an analysis, completed by a qualified individual or organization, to determine if the proposed new Tower or existing structure intended to support wireless facilities is in compliance with Federal Aviation Administration Regulation Part 77 and if it requires lighting. This requirement shall also be for any existing structure or building where the application increases the height of the structure or building. If this analysis determines, that an FAA determination is required, then all filings with the FAA, all responses from the FAA and any related correspondence shall be provided with the application.

K) Application for a New Tower:

- 1) In the case of a new Tower, the Applicant shall be required to submit a written report demonstrating its meaningful efforts to secure shared use of existing Tower(s) or the use of alternative buildings or other structures within the County. Copies of written requests and responses for shared use shall be provided to the County in the Application, along with any letters of rejection stating the reason for rejection.
- 2) The Applicant shall examine the feasibility of designing the proposed Tower to accommodate future demand for at least four (4) additional commercial applications, for example, future co-locations. The Tower shall be structurally designed to accommodate at least four (4) additional Antenna Arrays equal to those of the Applicant, and located as close to the Applicant's Antenna as possible without causing interference. This requirement may be waived, provided that the Applicant, in writing, demonstrates that the provisions of future shared usage of the Tower is not technologically feasible, is Commercially Impracticable or creates an unnecessary and unreasonable burden, based upon:
 - a) The foreseeable number of FCC licenses available for the area;
 - b) The kind of Wireless Telecommunications Facilities site and structure proposed;
 - c) The number of existing and potential licenses without Wireless Telecommunications Facilities spaces/sites;
 - d) Available space on existing and approved Towers.
- 3) The owner of a proposed new Tower, and his/her successors in interest, shall negotiate in good faith for the shared use of the proposed Tower by other Wireless service providers in the future, and shall:
 - a) Respond within 60 days to a request for information from a potential shared-use Applicant;
 - b) Negotiate in good faith concerning future requests for shared use of the new Tower by other Telecommunications providers;
 - c) Allow shared use of the new Tower if another Telecommunications provider agrees in writing to pay

reasonable charges. The charges may include, but are not limited to, a pro rata share of the cost of site selection, planning, project administration, land costs, site design, construction and maintenance financing, return on equity, less depreciation, and all of the costs of adapting the Tower or equipment to accommodate a shared user without causing electromagnetic interference;

- d) Failure to abide by the conditions outlined above may be grounds for revocation of the Conditional Use Permit.
- L) The Applicant shall provide certification with documentation (structural analysis) including calculations that the Telecommunication Facility Tower and foundation and attachments, rooftop support structure, water tank structure, and any other supporting structure as proposed to be utilized are designed and will be constructed to meet all local, County, State and Federal structural requirements for loads, including wind and ice loads.
- M) If proposal is for a co-location or modification on an existing Tower, the applicant is to provide signed documentation of the Tower condition such as an ANSI report as per Annex E, Tower Maintenance and Inspection Procedures, ANSI/TIA/EIA-222F or most recent version. The inspection report must be performed every three (3) years for a guyed tower and five (5) years for monopoles and self-supporting towers.
- N) All proposed Wireless Telecommunications Facilities shall contain a demonstration that the Facility will be sited so as to minimize visual intrusion as much as possible, given the facts and circumstances involved and will thereby have the least adverse visual effect on the environment and its character and on the residences in the area of the Wireless Telecommunications Facility.
- O) If a new Tower, proposal for a new Antenna attachment to an existing structure, or modification adding to a visual impact, the Applicant shall furnish a Visual Impact Assessment, which shall include:
 - 1) If a new Tower or increasing the height of an existing structure is proposed, a computer generated "Zone of Visibility Map" at a minimum of one mile radius from the proposed structure, with and without foliage shall be provided to illustrate locations from which the proposed installation may be seen.
 - 2) Pictorial representations of "before and after" (photo simulations) views from key viewpoints both inside and outside of the County as may be appropriate, including but not limited to State Highways and other major roads; State and local parks; other public lands; historic

districts; preserves and historic sites normally open to the public; and from any other location where the site is visible to a large number of visitors, travelers or residents. Guidance will be provided, concerning the appropriate key sites at the pre-application meeting. Provide a map showing the locations of where the pictures were taken and distance from the proposed structure.

- 3) A written description of the visual impact of the proposed facility including; and as applicable the Tower base, guy wires, fencing and accessory buildings from abutting and adjacent properties and streets as relates to the need or appropriateness of screening.
- P) The Applicant shall demonstrate and provide in writing and/or by drawing how it shall effectively screen from view the base and all related equipment and structures of the proposed Wireless Telecommunications Facility.
- Q) The Wireless Telecommunications Facility and any and all accessory or associated facilities shall maximize the use of building materials, colors and textures designed to blend with the structure to which it may be affixed and/or to harmonize with the natural surroundings, this shall include the utilization of stealth or concealment technology as may be required by the County.
- R) All utilities at a Wireless Telecommunications Facilities site shall be installed underground whenever possible and in compliance with all Laws, Ordinances, rules and regulations of the County, including specifically, but not limited to, the National Electrical Safety Code and the National Electrical Code where appropriate.
- S) At a Telecommunications Site, an access road, turn-around space and parking shall be provided to assure adequate emergency and service access. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall comply with county standards.
- T) All Wireless Telecommunications Facilities shall be constructed, operated, maintained, repaired, provided for removal of, modified or restored in strict compliance with all current applicable technical, safety and safety-related codes adopted by the County, State, or United States, including but not limited to the most recent editions of the ANSI Code, National Electrical Safety Code and the National Electrical Code, as well as accepted and responsible workmanlike industry practices and recommended practices of the National Association of Tower Erectors. The codes referred to are codes that include, but are not limited to, construction, building, electrical,

fire, safety, health, and land use codes. In the event of a conflict between or among any of the preceding the more stringent shall apply.

- U) A holder of a Conditional Use Permit granted under this Ordinance shall obtain, at its own expense, all permits and licenses required by applicable Law, rule, regulation or code, and must maintain the same, in full force and effect, for as long as required by the County or other governmental entity or agency having jurisdiction over the applicant.
- V) There shall be a pre-application meeting. The purpose of the pre-application meeting will be to address issues that will help to expedite the review and permitting process. A pre-application meeting shall also include a site visit if there has not been a prior site visit for the requested site.
- W) An Applicant shall submit to the County the number of completed Applications determined to be needed at the pre-application meeting. Written notification of the Application shall be provided to the legislative body of all adjacent municipalities as applicable (within 1 ½ miles) and/or requested.
- X) The holder of a Conditional Use Permit shall notify the County of any intended Modification of a Wireless Telecommunication Facility and shall apply to the County to modify, relocate or rebuild a Wireless Telecommunications Facility.

K-9: Location of Wireless Telecommunications Facilities

- A) Applicants for Wireless Telecommunications Facilities shall locate, site and erect said Wireless Telecommunications Facilities in accordance with the following priorities, one (1) being the highest priority and seven (7) being the lowest priority.
 - 1) On existing Towers or other structures on County owned properties.
 - 2) On existing Towers or other structures on other property in the County.
 - 3) A new Tower on County-owned properties.
 - 4) A new Tower on properties in areas zoned for Industrial use.
 - 5) A new Tower on properties in areas zoned for Commercial use.
 - 6) A new Tower on properties in areas zoned for Agricultural use.

- 7) A new Tower on properties in areas zoned for Residential use.
- B) If the requested site is not proposed for the highest priority listed above, then a detailed explanation must be provided as to why a site of a higher priority was not selected. The person seeking such an exception must satisfactorily demonstrate the reason or reasons why such a permit should be granted for the proposed site, and the hardship that would be incurred by the Applicant if the permit were not granted for the proposed site.
- C) An Applicant may not by-pass sites of higher priority by stating the site proposed is the only site leased or selected. An Application shall address co-location as an option. If such option is not proposed, the Applicant must explain to the reasonable satisfaction of the County why co-location is commercially or otherwise Impracticable. Agreements between providers limiting or prohibiting co-location shall not be a valid basis for any claim of Commercial Impracticability or hardship.
- D) Notwithstanding the above, the County may approve any site located within an area in the above list of priorities, provided that the County finds that the proposed site is in the best interest of the health, safety and welfare of the County and its inhabitants and will not have a deleterious effect on the nature and character of the community and neighborhood.
- E) The Applicant shall submit a written report demonstrating the Applicant's review of the above locations in order of priority, demonstrating the technological reason for the site selection. If appropriate, based on selecting a site of lower priority, a detailed written explanation as to why sites of a higher priority were not selected shall be included with the Application.
- F) Notwithstanding that a potential site may be situated in an area of highest priority or highest available priority, the County may disapprove an Application for any of the following reasons.
- 1) Conflict with safety and safety-related codes and requirements;
 - 2) Conflict with the historic nature or character of a neighborhood or historical district;
 - 3) The use or construction of Wireless Telecommunications Facilities which is contrary to an already stated purpose of a specific zoning or land use designation;
 - 4) The placement and location of Wireless Telecommunications Facilities which would create an unacceptable risk, or the reasonable probability of such, to residents, the public, employees

and agents of the County, or employees of the service provider or other service providers;

- 5) Conflicts with the provisions of this Ordinance;
- 6) The placement and location of Wireless Telecommunication Facilities in conflict with the County Master Plan.

K-10: Shared Use of Wireless Telecommunications Facilities and Other Structures

- A) The County, as opposed to the construction of a new Tower, shall prefer locating on existing Towers or others structures without increasing the height. The Applicant shall submit a comprehensive report inventorying existing Towers and other suitable structures within two (2) miles of the location of any proposed new Tower, unless the Applicant can show that some other distance is more reasonable and demonstrate conclusively why an existing Tower or other suitable structure cannot be used.
- B) An Applicant intending to locate on an existing Tower or other suitable structure shall be required to document the intent of the existing owner to permit its use by the Applicant.
- C) Such shared use shall consist only of the minimum Antenna Array technologically required to provide service primarily and essentially within the County, to the extent practicable, unless good cause is shown.

K-11: Height of Telecommunications Tower(s)

- A) The Applicant shall submit documentation justifying the total height of any Tower, Facility and/or Antenna requested and the basis therefore. Documentation in the form of propagation studies must include all backup data used to perform at requested height and a minimum of ten (10') feet lower height to allow verification of this height need. Such documentation will be analyzed in the context of the justification of the height needed to provide service primarily and essentially within the County, to the extent practicable, unless good cause is shown.
- B) No Tower constructed after the effective date of this Ordinance, including allowing for all attachments, shall exceed that height which shall permit operation without required artificial lighting of any kind in accordance with County, State, and/or any Federal statute, law, local law, County Ordinance, code, rule or regulation.

K-12: Visibility of Wireless Telecommunications Facilities

- A) Wireless Telecommunications Facilities shall not be artificially lighted or marked, except as required by Law.
- B) Towers shall be galvanized and/or painted with a rust-preventive paint of an appropriate color to harmonize with the surroundings and shall be maintained in accordance with the requirements of this Ordinance.
- C) If lighting is required, Applicant shall provide a plan for sufficient lighting of as unobtrusive and inoffensive an effect as is permissible under State and Federal regulations.

K-13: Security of Wireless Telecommunications Facilities

All Wireless Telecommunications Facilities and Antennas shall be located, fenced or otherwise secured in a manner that prevents unauthorized access. Specifically:

- A) All Antennas, Towers and other supporting structures, including guy anchor points and wires, shall be made inaccessible to individuals and constructed or shielded in such a manner that they cannot be climbed or collided with; and
- B) Transmitters and Telecommunications control points shall be installed in such a manner that they are readily accessible only to persons authorized to operate or service them.

K-14: Signage

Wireless Telecommunications Facilities shall contain a sign no larger than four (4) square feet in order to provide adequate notification to persons in the immediate area of the presence of RF radiation or to control exposure to RF radiation within a given area. A sign of the same size is also to be installed to contain the name(s) of the owner(s) and operator(s) of the Antenna(s) as well as emergency phone number(s). The sign shall be on the equipment shelter or cabinet of the Applicant and be visible from the access point of the site and must identify the equipment owner of the shelter or cabinet. On tower sites, an FCC registration site as applicable is also to be present. The signs shall not be lighted, unless applicable law, rule or regulation requires lighting. No other signage, including advertising, shall be permitted.

K-15: Lot Size and Setbacks

All proposed Towers and any other proposed Wireless Telecommunications Facility structures shall be set back from abutting parcels, recorded rights-of-way and road and street lines by the greater of the following distances: A distance equal to the height of the proposed Tower or Wireless Telecommunications Facility structure plus ten percent

(10%) of the height of the Tower or structure, or the existing setback requirement of the underlying Zoning District, whichever is greater. Any Accessory structure shall be located so as to comply with the applicable minimum setback requirements for the property on which it is situated.

K-16: Retention of Expert Assistance and Reimbursement by Applicant

- A) The County may hire any consultant and/or expert necessary to assist the County in reviewing and evaluating the Application, including the construction and modification of the site, once permitted, and any site inspections.
- B) An Applicant shall deposit with the County funds sufficient to reimburse the County for all reasonable costs of consultant and expert evaluation and consultation to the County in connection with the review of any Application including where applicable, the lease negotiation, the pre-approval evaluation, and the construction and modification of the site, once permitted. The initial deposit shall be \$8,500.00. The placement of the \$8,500.00 with the County shall precede the pre-application meeting. The County will maintain a separate escrow account for all such funds. The County's consultants/experts shall invoice the County for its services related to the Application. If at any time during the process this escrow account has a balance less than \$2,500.00, the Applicant shall immediately, upon notification by the County, replenish said escrow account so that it has a balance of at least \$5,000.00. Such additional escrow funds shall be deposited with the County before any further action or consideration is taken on the Application. In the event that the amount held in escrow by the County is more than the amount of the actual invoicing at the conclusion of the project, the remaining balance shall, upon request of the Applicant, be promptly refunded to the Applicant.
- C) The total amount of the funds needed as set forth in subsection (B) of this section may vary with the scope (lease negotiations and/or review) and complexity of the project, the completeness of the Application and other information as may be needed to complete the necessary review, analysis and inspection of any construction or modification.
- D) The county's consultant shall document billing with invoices that are descriptive of the work accomplished, that will be reviewed by the county. When billing on a particular case reaches the point that the draw down of the escrow falls below \$2,500.00 and a replenishment of the escrow is necessary, the consultant must submit documentation requesting the replenishment and that explains the continuing need.

K-17: Public Hearing and Notification Requirements

- A) Prior to the approval of any Application for a Conditional Use Permit for Wireless Telecommunications Facilities, a Public Hearing shall be held by the Commission, notice of which shall be published in the newspaper general circulation in of the County no less than fifteen (15) calendar days prior to the scheduled date of the Public Hearing. The procedures of the Conditional Use Permit process with the County Planning Commission shall be followed to include application fee, mailing of notices to all owners of real property within 1,000-feet of the boundary of the parcel that a new or taller telecommunications is proposed.
- B) There shall be no Public Hearing required for an Application to co-locate on an existing Tower or other structure or a modification at an existing site, as long as there is no proposed increase in the height of the Tower or structure, including attachments thereto. Permits issued for requests that do not require a Public Hearing will be issued administratively once all requirements are met.
- C) The County shall schedule the Public Hearing referred to in Subsection (A) of this section once it finds the Application is complete, the County, at any stage prior to issuing a Conditional Use Permit, may require such additional information as it deems necessary.

K-18: Action on an Application for a Conditional Use Permit for Wireless Telecommunications Facilities

- A) The County will undertake a review of an Application pursuant to this Article in a timely fashion, consistent with its responsibilities, and shall act within a reasonable period of time given the relative complexity of the Application and the circumstances, with due regard for the public's interest and need to be involved, and the Applicant's desire for a timely resolution.
- B) Once the county has received a completed application as verified by the consultant the Conditional use Permit process should take no more than 60-days.
- C) The County may refer any Application or part thereof to any advisory, other committee or commission for a non-binding recommendation.
- D) After the Public Hearing and after formally considering the Application, the County may approve, approve with conditions, or deny a Conditional Use Permit. Its decision shall be in writing and shall be supported by substantial evidence contained in a written record. The burden of proof for the granting of the Permit shall always be upon the Applicant.

- E) If the County approves the Conditional Use Permit for a Wireless Telecommunications Facility, then the Applicant shall be notified of such approval in writing within ten (10) calendar days of the County's action, and the Conditional Use Permit shall be issued within thirty (30) days after such approval. Except for necessary construction permits, and subsequent Certificates of Compliance, once a Conditional Use Permit has been granted hereunder, no additional permits or approvals from the County, such as site plan or zoning approvals, shall be required by the County for the Wireless Telecommunications Facilities covered by the Conditional Use Permit.
- F) If the County denies the Conditional Use Permit for Wireless Telecommunications Facilities, then the Applicant shall be notified of such denial in writing within ten (10) calendar days of the County's action.

K-19: Extent and Parameters of Conditional Use Permit for Wireless Telecommunications Facilities

The extent and parameters of a Conditional Use Permit for Wireless Telecommunications Facilities shall be as follows:

- A) Such Conditional Use Permit shall not be assigned, transferred or conveyed without the express prior written notification to the County.
- B) Such Conditional Use Permit may, following due prior notice to the Applicant, be revoked, canceled, or terminated by administrative action for a violation of the conditions and provisions of the Conditional Use Permit, or for a material violation of this Ordinance after prior written notice to the holder of the Conditional Use Permit. In the case of an administrative revocation of a Conditional Use Permit a new public hearing process with the Planning & Zoning Commission is required to re-activate it.

K-20: Application Fee

At the time that a Person submits an Application for a Conditional Use Permit for a new Tower, such Person shall pay a non-refundable application fee of \$2,000.00 to the County. If the Application is for an administrative Conditional Use Permit for co-locating on an existing Tower or other suitable structure, where no increase in height of the Tower or structure is required, the non-refundable fee shall be \$500.00.

K-21: Performance Security

The Applicant and the owner of record of any proposed Wireless Telecommunications Facilities property site shall, at its cost and expense, be jointly required to execute and file with the County a bond, or other form of security acceptable to the County as to type of security and the form and manner of execution, in an amount of at least \$75,000.00

for a new Tower facility to assure the faithful performance of the terms and conditions of this Ordinance and conditions of any Conditional Use Permit issued pursuant to this Ordinance. The full amount of the bond or security shall remain in full force and effect throughout the term of the Conditional Use Permit and/or until any necessary site restoration is completed to restore the site to a condition comparable to that, which existed prior to the issuance of the original Conditional Use Permit.

K-22: Reservation of Authority to Inspect Wireless Telecommunications Facilities

In order to verify that the holder of a Conditional Use Permit for Wireless Telecommunications Facilities and any and all lessees, renters, and/or licensees of Wireless Telecommunications Facilities, place and construct such facilities, including Towers and Antennas, in accordance with all applicable technical, safety, fire, building, and zoning codes, Laws, Ordinances and regulations and other applicable requirements, the County may inspect all facets of said permit holder's, renter's, lessee's or licensee's placement, construction, modification and maintenance of such facilities, including, but not limited to, Towers, Antennas and buildings or other structures constructed or located on the permitted site.

K-23: Liability Insurance

- A) A holder of a Conditional Use Permit for Wireless Telecommunications Facilities shall secure and at all times maintain public liability insurance for personal injuries, bodily injury and property damage, and umbrella insurance coverage, for the duration of the Conditional Use Permit in amounts as set forth below verified by delivery of a Certificate of Insurance each annual policy renewal to the Camden County, Missouri Director of Planning & Zoning:
- 1) Commercial General Liability: \$1,000,000 per occurrence/\$2,000,000 aggregate covering:
 - 2) Bodily Injury
 - 3) Property Damage
 - 4) Personal & Advertising Injury
 - 5) Automobile Liability: \$2,000,000 Combined Single Limit:
 - 6) UM/UIM \$1,000,000
 - 7) Hired/Non-Owned Liability
 - 8) Workers Compensation and Employers Liability – Statutory Limits
 - 9) \$1,000,000 each accident

- 10) \$1,000,000 Disease – policy limit
- 11) \$1,000,000 Disease – each employee
- B) For a Wireless Telecommunications Facility on County property, the Commercial General Liability insurance policy shall specifically include the County and its agents as additional insured.
- C) The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the State and with a Best's rating of at least A.
- D) The insurance policies shall contain an endorsement obligating the insurance company to furnish the County with at least thirty-(30) day's prior written notice in advance of the cancellation of the insurance.
- E) Renewal or replacement policies or certificates shall be delivered to the County at least fifteen (15) days before the expiration of the insurance that such policies are to renew or replace.
- F) Before construction of a permitted Wireless Telecommunications Facilities is initiated, but in no case later than fifteen (15) days after the granting of the Conditional Use Permit, the holder of the Conditional Use Permit shall deliver to the County a copy of each of the policies or certificates representing the insurance in the required amounts.

K-24: Indemnification

- A) Any application for Wireless Telecommunication Facilities that is proposed for County property, pursuant to this Ordinance, shall contain a provision with respect to indemnification. Such provision shall require the applicant, to the extent permitted by the Law, to at all times defend, indemnify, protect, save, hold harmless, and exempt the County, and its officers, Councils, employees, committee members, attorneys, agents, and consultants from any and all penalties, damages, costs, or charges arising out of any and all claims, suits, demands, causes of action, or award of damages, whether compensatory or punitive, or expenses arising there from, either at law or in equity, which might arise out of, or are caused by, the placement, construction, erection, modification, location, products performance, use, operation, maintenance, repair, installation, replacement, removal, or restoration of said Facility, excepting, however, any portion of such claims, suits, demands, causes of action or award of damages as may be attributable to the negligent or intentional acts or omissions of the County, or its servants or agents. With respect to the penalties, damages or charges referenced herein, reasonable attorneys' fees, consultants' fees, and expert witness fees are included in those costs that are recoverable by the County.

- B) Notwithstanding the requirements noted in subsection (A) of this section, an indemnification provision will not be required in those instances where the County itself applies for and secures a Conditional Use Permit for Wireless Telecommunications Facilities

K-25: Fines

- A) In the event of a violation of this Ordinance or any Conditional Use Permit issued pursuant to this Ordinance, the County may utilize any and all methods available by law to seek penalties and/or compliance under the provisions of Article 600 of the Unified Land-Use Codes.
- B) Notwithstanding anything in this Ordinance, the holder of a Conditional Use Permit for Wireless Telecommunications Facilities may not use the payment of fines, liquidated damages or other penalties, to evade or avoid compliance with this Ordinance or any section of this Ordinance. An attempt to do so shall subject the holder of the Conditional Use Permit to termination and revocation of the Conditional Use Permit. The County may also seek injunctive relief to prevent the continued violation of this Ordinance, without limiting other remedies available to the County.

K-26: Default and/or Revocation

If a Wireless Telecommunications Facility is repaired, rebuilt, placed, moved, re-located, modified or maintained in a way that is inconsistent or not in compliance with the provisions of this Ordinance or of the Conditional Use Permit, then the County shall notify the holder of the Conditional Use Permit in writing of such violation. A Permit holder in violation may be considered in default and subject to fines as in Section 24 and if a violation is not corrected to the satisfaction of the County in a reasonable period of time the Conditional Use Permit is subject to revocation.

K-27: Removal of Wireless Telecommunications Facilities

- A) Under the following circumstances, the County may determine that the health, safety, and welfare interests of the County warrant and require the removal of Wireless Telecommunications Facilities.
 - 1) Wireless Telecommunications Facilities with a permit have been abandoned (i.e. not used as Wireless Telecommunications Facilities) for a period exceeding ninety consecutive (90) days or a total of one hundred-eighty (180) days in any three hundred-sixty five (365) day period, except for periods caused by force majeure or Acts of God, in which case, repair or removal shall commence within 90 days;

- 2) Permitted Wireless Telecommunications Facilities fall into such a state of disrepair that it creates a health or safety hazard;
 - 3) Wireless Telecommunications Facilities have been located, constructed, or modified without first obtaining, or in a manner not authorized by, the required Conditional Use Permit, or any other necessary authorization and the Conditional Permit may be revoked.
- B) If the County makes such a determination as noted in subsection (A) of this section, then the County shall notify the holder of the Conditional Use Permit for the Wireless Telecommunications Facilities within forty-eight (48) hours that said Wireless Telecommunications Facilities are to be removed, the County may approve an interim temporary use agreement/permit, such as to enable the sale of the Wireless Telecommunications Facilities.
- C) The holder of the Conditional Use Permit, or its successors or assigns, shall dismantle and remove such Wireless Telecommunications Facilities, and all associated structures and facilities, from the site and restore the site to as close to its original condition as is possible, such restoration being limited only by physical or Commercial Impracticability, within ninety (90) days of receipt of written notice from the County. However, if the owner of the property upon which the Wireless Telecommunications Facilities are located wishes to retain any access roadway to the Wireless Telecommunications Facilities, the owner may do so with the approval of the County.
- D) If Wireless Telecommunications Facilities are not removed or substantial progress has not been made to remove the Wireless Telecommunications Facilities within ninety (90) days after the Permit holder has received notice, then the County may order officials or representatives of the County to remove the Wireless Telecommunications Facilities at the sole expense of the owner or Conditional Use Permit holder.
- E) If, the County removes, or causes to be removed, Wireless Telecommunications Facilities, and the owner of the Wireless Telecommunications Facilities does not claim and remove it from the site to a lawful location within ten (10) days, then the County may take steps to declare the Wireless Telecommunications Facilities abandoned, and sell them and their components.
- F) Notwithstanding anything in this Section to the contrary, the County may approve a temporary use permit/agreement for the Wireless Telecommunications Facilities, for no more ninety (90) days, during which time a suitable plan for removal, conversion, or re-location of the affected Wireless Telecommunications Facilities shall be developed by the holder

of the Conditional Use Permit, subject to the approval of the County, and an agreement to such plan shall be executed by the holder of the Conditional Use Permit and the County. If such a plan is not developed, approved and executed within the ninety (90) day time period, then the County may take possession of and dispose of the affected Wireless Telecommunications Facilities in the manner provided in this Section.

K-28: Relief

Any Applicant desiring relief, waiver or exemption from any aspect or requirement of this Ordinance may request such at the pre-application meeting, provided that the relief or exemption is contained in the submitted Application for either a Conditional Use Permit, or in the case of an existing or previously granted Conditional Use Permit a request for modification of its Tower and/or facilities. Those facilities such as wireless internet service that do not involve new tower or taller tower construction are an example of suitable waiver from these code provisions. Such relief may be temporary or permanent, partial or complete. However, the burden of proving the need for the requested relief, waiver or exemption is solely on the Applicant to prove. The Applicant shall bear all costs of the County in considering the request and the relief, waiver or exemption. No such relief or exemption shall be approved unless the Applicant demonstrates by clear and convincing evidence that, if granted the relief, waiver or exemption will have no significant affect on the health, safety and welfare of the County, its residents and other service providers.

K-29: Periodic Regulatory Review by the County

- A) The County may at any time conduct a review and examination of this entire Ordinance.
- B) If after such a periodic review and examination of this Ordinance, the County determines that one or more provisions of this Ordinance should be amended, repealed, revised, clarified, or deleted, the County may take whatever measures are necessary in accordance with applicable Law in order to accomplish the same. It is noted that where warranted, and in the best interests of the County, the County may repeal this entire Ordinance at any time.
- C) Notwithstanding the provisions of subsections (A) and (B) of this Section, the County may at any time and in any manner (to the extent permitted by Federal, State, or local law), amend, add, repeal, and/or delete one or more provisions of this Ordinance.
- D) Notwithstanding the provisions of subsections (A), (B), and (C), the County may suspend the enforcement of this regulation, but only after appropriate provisions to address the site approval of Telecommunication facilities have been made.

K-30: Adherence to State and/or Federal Rules and Regulations

- A) To the extent that the holder of a Conditional Use Permit for Wireless Telecommunications Facilities has not received relief, or is otherwise exempt, from appropriate State and/or Federal agency rules or regulations, then the holder of such a Conditional Use Permit shall adhere to, and comply with, all applicable rules, regulations, standards, and provisions of any State or Federal agency, including, but not limited to, the FAA and the FCC. Specifically included in this requirement are any rules and regulations regarding height, lighting, security, electrical and RF emission standards.
- B) To the extent that applicable rules, regulations, standards, and provisions of any State or Federal agency, including but not limited to, the FAA and the FCC, and specifically including any rules and regulations regarding height, lighting, and security are changed and/or are modified during the duration of a Conditional Use Permit for Wireless Telecommunications Facilities, then the holder of such a Conditional Use Permit shall conform the permitted Wireless Telecommunications Facilities to the applicable changed and/or modified rule, regulation, standard, or provision within a maximum of twenty-four (24) months of the effective date of the applicable changed and/or modified rule, regulation, standard, or provision, or sooner as may be required by the issuing entity.

K-31: Conflict with Other Laws

Where this Ordinance differs or conflicts with other Laws, rules and regulations, unless the right to do so is preempted or prohibited by the County, State or Federal government, this Ordinance shall apply.

K-32: Effective Date

This Ordinance shall be effective immediately upon passage, pursuant to applicable legal and procedural requirements.

K-33: Authority

This County Ordinance is enacted pursuant to applicable authority granted by the State of Missouri and the federal government.