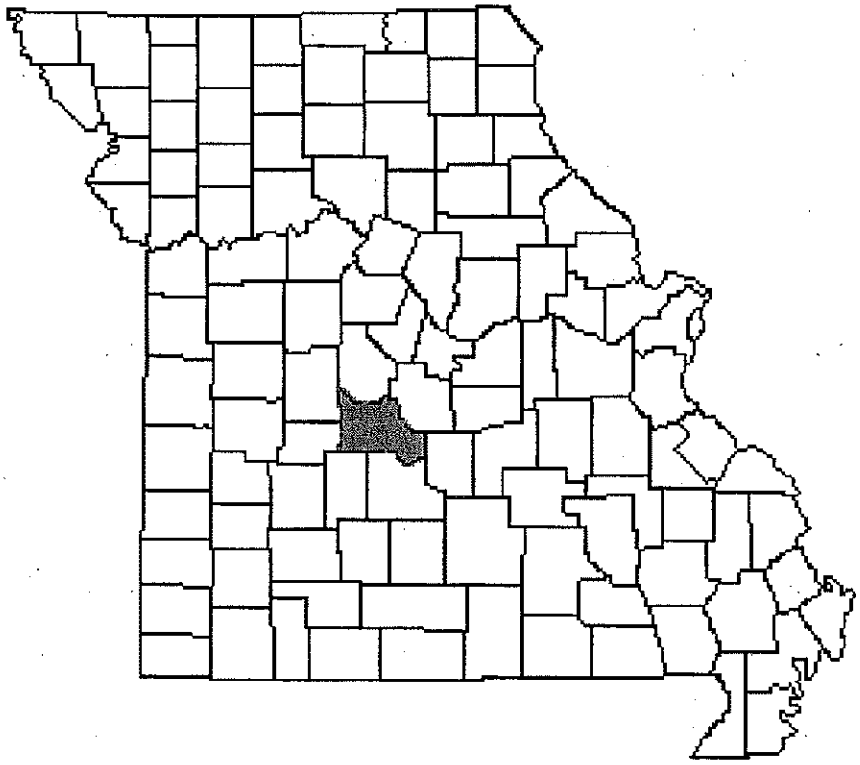
CAMDEN COUNTY MISSOURI

UNIFIED LAND-USE CODES



EFFECTIVE DATE JUNE 1, 2004
MODIFIED JULY – AUGUST, 2006

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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
- 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, defined in this Article shall have the meaning herein indicated.
2. Where words have not been defined, the standard dictionary definition shall prevail.
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 "will" 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.
    g. Except where specified otherwise, the provisions of this Code shall be construed to mean the minimum standards and requirements adopted in pursuit of the purposes of the regulations.
4. As used in this Code, words importing the masculine gender include the feminine and neuter.

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 **OR BOZA** - Board Of Zoning 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	**N**ational **P**ollutant **D**ischarge **E**limination **S**ystem
P	Recreational **P**arks
PUD	**P**lanned **U**nit **D**evelopment
R	**R**esidential
RSMo	**R**evised **S**tatutes of **M**issouri
USGS	**U**nited **S**tates **G**eological **S**urvey

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;
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;
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 319 of this Code.

Administrator: Except as otherwise specifically provided, primary responsibility for administering and enforcing the Camden County Unified Land-Use Code may be assigned by the Camden County Commission to one or more individuals in the employ of the County. The person or persons to whom these functions are assigned shall be referred to as the "Planning Administrator" (**or Administrator**). The term "staff" or "planning staff" is sometimes used interchangeably with the term "administrator". The Administrator is the enforcement officer for the County.

Adult Entertainment Use:

1. **Adult Cabaret:** A building or portion of a building regularly featuring dancing or other live entertainment that constitutes the primary entertainment and is distinguished or characterized by an emphasis on the exhibiting of specific sexual activities or specified anatomical areas for observation by the patrons therein.
2. **Adult Entertainment Facility:** An establishment with 5% or more of total floor space or inventory 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 shall include but not be limited to adult bookstores, adult theatres (whether live or film or tape), 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, which includes, but is 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.

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

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.

Arenas: 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 thereof, that is occupied by the proprietor and contains no more than four (4) guest rooms where short term lodging, with our 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.

Block: Any area of land entirely bounded by roads, streets, highways, except alleys, pedestrian ways or exterior boundaries of a subdivision unless such exterior boundary is a street, road or highway or a combination of streets, public parks, cemeteries, railroad right-of-ways or shorelines or waterways or corporate boundary lines.

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 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.

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, and which is permanently affixed to the ground.

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 or 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 and 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.

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 also sometimes referred to as the regulations.

Commission: The Camden County Commission.

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. Common open space does not include streets, alleys, off-street parking or loading for public use.

Community Center: A facility maintained by a public agency or by a not-for-profit community or 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 as further defined in Section 408 of this Code.

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 or his delegate.

Cul-de-sac: A local street having one end open to traffic and being terminated at the other end 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 form 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 or buildings 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 are able to 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 unit: A building or part thereof containing complete housekeeping facilities for one family or household, including sleeping, cooking and sanitary facilities. For the purposes of this document hotel/motel rooms, camping trailers, and recreational vehicles shall be excluded from this definition.

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 requirement of this Code.

Flood plain: Areas designated by the Federal Emergency Management Agency as being in a one hundred (100) year flood plain. For the purposes of this document the floodplain of the Lake of the Ozarks shall be all land below the 664-foot contour line.

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 or 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.

Home Occupation: An activity carried out for gain by a resident conducted as an accessory use in the resident's dwelling or in an accessory building.

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

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 6 months of age are kept.

Land Disturbance Permit: A permit issued by the Planning Administrator as further defined in Article 1200 and Appendix D 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: A facility offering transient lodging accommodations on a daily rate to the general public.

Lodgings: See hotel

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. In the case of a lot that abuts the Lake of the Ozarks that side facing the lake shall be considered the front.

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 (or the 660 foot elevation for a lakefront lot). 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; or the same distance measured at a point midway between the front lot line and the rear lot line; or at 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 dwelling unit 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), or its successor, consisting of components substantially built and assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. The dwelling unit shall be inspected and certified at the factory that it meets said building construction standard. A modular home shall not have its own running gear and on-site service connections and foundation shall be poured. Any manufactured home built prior to July 1976 shall be referred to as a Mobile Home.

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, without spaces or gaps 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 within the area of Camden County that is covered by this regulation

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. Mobile Home: A transportable, factory-built home, designed to be used as a year around residential dwelling and built prior to June 16, 1976, the effective date of the Federal Manufactured Housing Construction and Safety Standards Act of 1974. The placement of mobile homes as defined herein within the Camden County is prohibited.

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
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 among other things plans and programs regarding location, character and extent of transportation routes, bridges, schools, parks and other elements of land use and development deemed appropriate for long range planning.

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

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 general real estate office but only for the marketing of.

Motel: An establishment in which transient accommodations are provided on a daily rate to the general public.

Multiple Use Plat: Any subdivision 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, also 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 takes 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 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, 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;

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; and,

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.)

Outdoor Advertising: Any balloon, banner, billboard, flag, marker, poster, searchlight, sign, and associated appurtenances used to convey a commercial message.

Overlay District: A zoning designation specifically delineated on the Official Zoning Map establishing land use requirements that may supercede, 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: 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.

Planning Administrator: Except as otherwise specifically provided, primary responsibility for administering and enforcing the Camden County Unified Land-Use Code may be assigned by the Camden County Commission to one or more individuals in the employ of the County. The person or persons to whom these functions are assigned shall be referred to as the "Planning Administrator" (**or Administrator**). The term "staff" or "planning staff" is sometimes used interchangeably with the term "administrator". The Administrator is the enforcement officer for the County.

Planning Commission: The Camden County Planning and Zoning Commission.

Planning Department: The official office of the Camden County Planning 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.

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 or lots or entity or circulation driveway within a lot of private road or 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 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.

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, 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: 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. 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 trademarked 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.

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 specific period of time only upon showing that such use in a 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 Section 407 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 without limiting the generality of the foregoing, 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 also not apply to the division of land which will otherwise result in creation of an Administrative Survey as the term is defined in this regulation if the division 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 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 which 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.

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, etc.

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.

Zoning Permit: A permit issued administratively by the Planning Administrator as found in Section 405 of this Code.

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

PART ONE: PLANNING COMMISSION

SECTION 301 – APPOINTMENT AND TERMS

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 that 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.

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.

6. Minutes shall be kept of all Planning Commission proceedings.

7. All Planning Commission meetings shall be open to the public, and 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 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.

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

SECTION 302 – QUORUM – VOTING - OFFICERS

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, 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 January 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 who will preside in the event that the Chairman is unable to. The members so elected 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 (again excluding vacant seats).

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

5. 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 all applications that require a public hearing by the full Planning Commission a minimum of twelve days prior to the hearing date.

    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 studies and may recommend to the County Commission plans, goals, and objectives, relating to land-use, growth, development, and redevelopment, of the County.

    b. Develop and recommend to the County Commission policies, regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner.

    c. Make recommendations to the County Commission concerning proposed zoning map changes and amendments to the Unified Land-Use Code.

    d. Perform any other duties as assigned by the County Commission.

2. The Planning Commission may adopt rules and regulations governing its procedures and operations not inconsistent with the provisions of this chapter.

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 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, etc.

2. Member of such advisory committees shall sit as nonvoting 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 AND TERMS

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 and no more than two 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.

    b. Mailing of a public hearing notice 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.

SECTION 309 – QUORUM - VOTING - 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 (4/5th) of the regular board membership shall be necessary to reverse any order, requirement, decision, or determination, of the Administrator or to decide in favor of the applicant 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 (4/5th) 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, or

    b. If the matter at issue involves the member's own official conduct, or

    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 a 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 and one member as Vice-Chair who 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 un-expired 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 it shall be its duty:

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 which it is required to determine under these Regulations, including, without limitation: (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 decisions of the Planning Commission regarding Conditional Use Permits; and

c. Where, by reason of exceptional narrowness, shallowness, shape of topography or 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.

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 chapter and the State Statutes of the State of Missouri.

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: LAND-USE ADMINISTRATOR & PLANNING ADMINISTRATOR

SECTION 314 – LAND-USE ADMINISTRATOR

Except as otherwise provided, primary responsibility for administering and enforcing this Unified Land-Use Code may be assigned by the County Commission to one or more individuals. The person or persons to whom these functions are assigned shall be referred to in this chapter as the "land-use administrator" or "administrator". The term "staff" or "planning staff" is sometimes used interchangeably with the term "administrator".

SECTION 315 – PLANNING ADMINISTRATOR

The Planning Administrator is the administrative head of the Planning Department. The Planning Administrator is authorized to issue all permits referenced and allowed by the Unified Land-Use Code and to approve and sign all major and minor subdivision final plats.

PART FOUR: COUNTY COMMISSION

SECTION 316 – THE COUNTY COMMISSION

1. The County Commission shall have the final authority concerning any proposed changes to the zoning map and the Unified Land-Use Code.

2. Article 1400 of the Unified Land-Use Code addresses the procedural requirements for such changes.

ARTICLE 400: PERMITS AND FINAL PLAT APPROVAL

PART ONE: CONSTRUCTION PERMITS

SECTION 401 – PERMIT REQUIRED

In compliance with RSMo. 64.570, 64.620.1, and 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 setbacks, height requirements, parking, access, provision of utility services, etc. 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 400 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, etc.
- Any structure so designated by the Planning Administrator with the exception that a construction permit shall not be required for any agricultural structure

The Construction Permit is in effect a zoning certificate (or Zoning Permit) that verifies compliance with all the requirements of the Unified Land-Use Code.

SECTION 402 – PROCEDURE

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 that will 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, etc.).

e. Construction Permits involving multi-family, commercial, office, or industrial development will require additional submittals as identified by the Planning Administrator.

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 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 granted before a new permit is required.

SECTION 403 RESERVED

PART TWO: ZONING, SPECIAL-USE, & CONDITIONAL-USE PERMITS

SECTION 404 – 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. A Zoning Permit issued by the Planning Administrator

    b. A 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.

2. Zoning Permits, Special-Use Permits, and Conditional-Use Permits are issued under this regulation only when a review of the application submitted, including the plans and submittals contained therein, indicates that the development will comply with the provisions of the Unified Land-Use Code, if completed as proposed. Such plans and applications as are finally approved are to be incorporated into any permit issued, and all development shall occur strictly in accordance with such approved plans and applications.

3. 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 405 – ZONING PERMITS

1. Zoning Permits are issued administratively by the Planning Administrator. The following land-uses may be permitted in this manner:

    a. Construction Permits (see Sections 401 & 402)

    b. Change of Permitted Use

    c. Home Occupations (see Section 801)

    d. Medical Hardships (see Section 801)

    e. Second Dwelling Agreement (see Section 801)

    f. Other changes in land-use as designated by the Planning Administrator

2. Application for a Zoning Permit may be submitted to the Planning Administrator at any time during normal business hours. Applications shall not be accepted unless they are complete including any required submittals. The submittal requirements are the same as for a Construction Permit.

3. The active time frame for a Zoning Permit depends on the type of permit. Generally a Zoning Permit is active for one-year with the potential for extension depending on the type of permit. Construction Permits and Change of Permitted Use are essentially permanent once the construction or change has occurred although this must occur within a one-year period (can be extended in six-month increments as long as there is good cause). Home Occupations and Medical Hardships are one-year permits that can be extended indefinitely in additional one-year increments. Second Dwelling Agreements cannot be extended beyond the one-year period and require a new permit to be issued.

SECTION 406 - LAND DISTURBANCE PERMIT

The requirements, criteria, and standards for Land Disturbance Permits are dealt with in detail by Article 1200 and Appendix D.

SECTION 407 - 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 permit to operate a firework stand in the same location for multiple years.

    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, or

b. The proposed development, construction or use will endanger the public health, safety or welfare, or

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 is completed, the development, more probably than not:

   a. Will materially endanger the public health or safety, or

   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 408 – 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 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.

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, or

    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:

    (the following are used as guidelines for the Planning Commission to interpret and use as appropriate and are not considered to be comprehensive as it is possible that other issues can and will be considered by the Planning Commission)

    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 the submission of a Traffic Impact Study to provide guidance on these issues.

    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 of 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. 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.

e. 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 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 his representatives.

SECTION 409 – COMPLETING DEVELOPMENTS IN PHASES

1. A development may be constructed in portions or phases in accordance with this section. 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 of this Code.

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 assumed to be required and completed in the first phase.

SECTION 410 – EXPIRATION OF PERMITS

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

    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, and (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 411 – SUCCESSORS AND ASSIGNS

Zoning, Special-Use Permits, and Conditional-Use Permits authorize the permittee to make use of land and structures in a particular way. Such permits are transferable. However, so long as the land or structures or any portion thereof covered by a permit continues to be used for purposes for which the permit was granted, then:

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 412 – 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. Approval of all changes must be given in writing to the applicant in a timely manner.

SECTION 413 - 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 414 – DEVELOPMENT EXEMPT FROM PERMIT REQUIREMENTS

The following activities or uses shall be exempt from any permit or plan review process although such uses or activities remain fully subject to this 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 a 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.

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 415 THROUGH 417 RESERVED

PART THREE: SUBDIVISIONS

SECTION 418 – GENERAL PROVISIONS

1. From and after the effective date of these regulations 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 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 the provision of these regulations (RSMo. 64.245).

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. No Construction permit 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.

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 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 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 shall apply from such designated right-of-way boundary lines.

SECTION 419 - SUBDIVISION CLASSIFICATION

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

1. **Exempt Survey** – Certain subdivision actions are considered an exempt action by the Planning Commission and other than a review to establish this status no further reviews will be conducted and the Planning Administrator's signature is not required on the survey. Being established as an exempt survey does not waive any of the provisions and requirements of the Unified Land-Use 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 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.

    b. The adjustment of property lines between two or more properties that are not part of an existing recorded subdivision, does 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.

d. Any survey involving one or more tracts all of which are greater than twenty (20) acres in size.

2. **Administrative Survey -** Any subdivision 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.

3. **Minor Plat -** Any subdivision consisting of six (6) or fewer lots, any one of which is less than ten (10) acres, but with no lots less than the minimum acreage (2-acres in the R-1 zoning district) set forth for the zoning district in which the property is located, 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.

4. **Multiple Use Plat -** Any subdivision 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 Development District as defined by the Unified Land-Use Code of Camden County, which contain or are intended to contain two or more buildings, each designed to connect one or more residential dwelling units to one or more buildings having more than one commercial or industrial business use or two or more buildings each designed or intended to contain one commercial or industrial business use.

5. **Major Plat –** Any subdivision that does not qualify, as either an Administrative Survey or a Minor Plat, must be submitted as a Major Plat.

SECTION 420 - ADMINISTRATIVE SURVEY AND MINOR PLAT REVIEW PROCESS

1. Administrative Survey and Minor Subdivision 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 Administrators 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 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 discretion may require what would otherwise qualify as a Minor Subdivision or Administrative Survey to be platted as a Major Plat if and only if the Administrator finds that roads or utilities surrounding the proposed subdivision or Administrative Survey 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, sewer or other utility service.

2. Major Subdivision Preliminary Plat 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 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, 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 (stormwater, road, water, sewer, etc.) 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 (see Appendix A) for review and approval by the Planning Administrator. The Final Plat must comply with all provisions of the Unified Land-Use Code of Camden County with specific attention to appendix A: Subdivision 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 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. 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 to two 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 1% of the total amount established as an escrow, as an administrative fee.

SECTION 421 – 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, or

   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 replatted 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 418 (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, 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 418 (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 422 – 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, 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 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 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 423 - 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 424 – 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: APPEALS, VARIANCES, AND INTERPRETATIONS

SECTION 501 – 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 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 within 30-days of the date of the decision or order being appealed from.

4. An appeal from the Planning Commissions final order or decision must be taken within 60-days of the date of the decision or order being appealed from.

5. Whenever an appeal is filed, a date for a public hearing will be established as the next convenient time for the Board of Adjustment. Public notices will be provided in accordance with Article 300, Section 308. All materials 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 appealed from, unless the Planning Administrator certifies to the Board of Adjustment that (because of the facts stated in the certification) a stay would, in his 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 or affirm (wholly or partly) or may modify the order, requirement or 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 approval and any circumstances of

approval that will be signed by the Chairman of the Board of Adjustment and the Administrator. A copy of the Decision of Record shall be sent to the applicant in a timely manner.

SECTION 502 – 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 Section 406.

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 that will be signed by the Chairman of the Board of Adjustment and the Administrator. A copy of the Decision of Record 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 requirement of this regulation.

SECTION 503 – INTERPRETATIONS

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 501.

2. The Board of Adjustment shall follow the boundary guidelines from Section 504 when making a boundary interpretation.

3. An application for map interpretation shall be submitted in the same manner as a variance from Section 502.

SECTION 504 – 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 in to 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 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 said 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 records of said survey filed with the Camden County Recorder of Deeds.

ARTICLE 600: ENFORCEMENT AND REVIEW

SECTION 601 – COMPLAINTS

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

SECTION 602 – 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 603 – PURPOSE AND INTENT FOR COMPLIANCE

It is the express intention of the enforcement procedures to gain compliance with the provisions and regulations contained within the Unified Land-Use Code. In the process of gaining compliance the County shall have all the criminal and civil remedies allowed pursuant with the State Statutes of Missouri. However, if at any point of the enforcement process compliance with the Code is achieved the effort to seek penalties shall be deemed unnecessary and shall cease.

SECTION 604 – PROCEDURES UPON DISCOVERY OF VIOLATION

1. If the Administrator finds that any provision of the Unified Land-Use Code is being violated, based on an appropriately filed complaint, he 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.

2. The Planning Administrator shall determine, in his 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 ninety (90) 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 in accordance with Section 501.

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 Section 605.

SECTION 605 – PENALTIES AND REMEDIES FOR VIOLATIONS

1. In the event that a violation exists for a property where 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.

2. To gain compliance with the Unified Land-Use Code the Planning Administrator may pursue a civil action based on the violation. The filing of an injunction will take place only if so authorized by the County Commission.

3. To gain compliance with the Unified Land-Use Code the Planning Administrator may pursue a criminal action based on the violation. Violations of this Code or failure to comply with any of these requirements, including violations of any conditions established in connection with grants of variances or Special-Use or Conditional-Use permits, shall constitute a Class A Misdemeanor, punishable by a fine of up to $1,000.00, or a maximum of one-year imprisonment, or both. A criminal case is filed through the County Prosecutor's office.

4. The Planning Administrator may invoke any one or all of the foregoing penalties and remedies to enforce this regulation.

SECTION 606 – 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 manner of a permit.

ARTICLE 700: NONCONFORMING LAND-USE ISSUES

SECTION 701 - DEFINITIONS

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

    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 changes in position;

    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**: a situation that occurs when, on the effective date of this Code, an existing lot or structure or 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, 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; and,

h. **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.)

SECTION 702 - CONTINUATION OF NONCONFORMING SITUATIONS AND COMPLETION OF NONCONFORMING PROJECTS

1. Unless otherwise specifically provided in these regulations and subject to the restrictions and set forth in Article 700, 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 of Article 700.

SECTION 703 - 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 in accordance with Section 706.

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 just as if it were conforming. However, no use (e.g., a two-family residence) 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, Board of Adjustment, or Planning Commission) 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 subdivision, development, or Planned Unit Development that has received at least sketch plan approval from the Planning Commission after the date these regulations were adopted, or after the date of adoption of the applicable amendment, shall be subject to the requirements of this Code. This provision shall not apply to the portions of those subdivisions, developments, or Planned Unit Developments reserved as future development sites (where no lot lines are shown), which were established prior to the adoption of this Code. In addition, development of lots within existing subdivisions, developments, and Planned Unit Developments are subject to the design standards and shall be in accordance with the provisions of this Code. 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 current standards to the greatest extent possible.

SECTION 704 - EXTENSION OR ENLARGEMENT OF NONCONFORMING SITUATION

1. Except as specifically provided in this Section, no person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming situation. In particular, physical alteration of structures or the placement of new structures on open land is unlawful if such activity results in:

   a. An increase in the total amount of space devoted to a nonconforming use; or

   b. Greater nonconformity with respect to dimensional restrictions such as setback requirements, height limitations or density requirements, or other requirements such as parking requirements.

2. Subject to Subsection (4), a nonconforming use may be extended throughout any portion of a completed building that, when the use was made nonconforming by this Code, was manifestly designed or arranged to accommodate such use. However, a nonconforming use may not be extended to additional buildings or to land outside the original building.

3. A nonconforming use of open land may not be extended to cover more land than was occupied by that use when it became nonconforming, except that a use that involves the removal of natural materials from the lot (e.g., a sand pit) may be extended to the boundaries of the lot where the use was established at the time it became nonconforming if ten percent (10%) or more of the earth products had already been removed on the effective date of this Code.

4. The volume, intensity, or frequency of use of property where a nonconforming situation exists may be increased and the equipment or processes used at a location where a nonconforming situation exists may be changed if these or similar changes amount only to changes in the degree of activity rather than changes in kind and no violations of other paragraphs of this section occur.

5. Notwithstanding Subsection (1):

    a. Any structure used for single-family residential purposes (other than a class "B" or "C" Manufactured Home) may be enlarged or replaced with a similar structure so long as the enlargement or replacement does not create new nonconformities or increase the extent of existing nonconformities with respect to such matters as setback and parking requirements; and,

    b. A nonconforming class "B" or "C" Manufactured Home (located outside a Manufactured Home Park) may be replaced with a site built home or a class "A" or "B" manufactured home that was produced in the same year or later than the home being replaced and is as large or larger than the home being replaced, so long as (i) the replacement home is moved onto the lot within 180 days of removal of the original Manufactured Home, (ii) all necessary permits have been issued by the regulatory agency responsible for authorizing the installation and operation of a satisfactory sewage treatment system, (iii) underpinning of all-weather base material is placed around the manufactured home or, in the case of a class "A" Manufactured Home, a masonry curtain wall or other permanent foundation; and (iv) all setbacks are met to the extent feasible.

6. Notwithstanding Subsection (1), the Administrator may issue a Zoning Permit authorizing a permanent addition to a nonconforming Manufactured Home if all other requirements of this Code are met (such as decks, porches, and accessory structures). This authorization cannot include to placement of a second Manufactured Home as a permanent addition.

7. Notwithstanding Subsection (1), whenever; (i) there exists a lot with one (1) or more structures on it; and, (ii) a change in use that does not involve any increase in the size or foundation of a structure is proposed for such lot; and, (iii) the parking or loading requirements of Article 1300 Parking Standards, 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 or loading, then the proposed use shall not be regarded as resulting in an impermissible extension or enlargement of a nonconforming situation. This is true so long as the applicant shall comply with all applicable parking and loading requirements that can be satisfied without acquiring additional land, and shall also be required to obtain satellite parking if: (i) parking requirements cannot be satisfied on the lot with respect to which the permit is required; and, (ii) such satellite parking is reasonably available.

8. Notwithstanding any other provision of this Code, additional right-of-way along an existing street may be condemned, and a property owner may at the request of the County or state dedicate or convey additional right-of-way even if such condemnation, conveyance or dedication results in the creation of a nonconforming situation.

9. Improvements to water and sewage treatment systems in order to accommodate more Manufactured Homes in a Nonconforming Manufactured Home Park shall be considered an enlargement of a Nonconforming Situation and shall not be permitted. However, improvements to a water and sewage treatment system serving a Manufactured Home Park for the purpose of improving public health that will not result in an increase in the number of Manufactured Homes within the park shall be permitted.

10. Nonconforming Manufactured Home Parks shall be permitted to continue operation subject to the following stipulations:

    a. Nonconforming Manufactured Home Parks shall not be expanded or increased in size nor shall any additional spaces be added to the site;

    b. Replacement of existing Manufactured Homes within a nonconforming Manufactured Home Park shall be permitted, provided that the total number of units (or spaces) within the park does not exceed the number that legally existed at the date of adoption of this amendment.

SECTION 705 - REPAIR, MAINTENANCE AND RECONSTRUCTION

1. With respect to structures located on property where nonconforming situations exists:

    a. Repair and maintenance are encouraged,

    b. Subject to the remaining provisions of this Section, renovation, restoration, or reconstruction work is permissible so long as such work seeks only to refurbish or replace what previously existed. The fact that renovation, restoration, or reconstruction work may require a permit under this Code shall not make such work impermissible so long as the work is otherwise consistent with this section;

c. Renovation, restoration, or reconstruction of residential property shall be allowed if: (i) the work is estimated to not cost more than fifty percent (50%) for residential structures and twenty-five percent (25%) for commercial structures of the appraised value of the structure to be renovated, restored, or reconstructed; and (ii) the need for such work is not the result of damage to the structure intentionally caused by a person with an ownership interest in such structure. Renovation, restoration, or reconstruction of commercial property shall be allowed if: (i) the work is estimated to not cost more than the appropriate percentage of appraised value of the structure to be renovated, restored, or reconstructed; and (ii) the need for such work is not the result of damage to the structure intentionally caused by a person with an ownership interest in such structure,

d. Renovation, restoration, or reconstruction of residential property estimated to cost more than fifty percent (50%) of the appraised value of the structure to be renovated, restored, or reconstructed shall only be permissible if the permitee or property owner complies to the extent reasonably possible with all provisions of this Code applicable to the existing use (except that the right to continue a nonconforming use or maintain a nonconforming level of density shall not be lost). Renovation, restoration, or reconstruction of commercial property estimated to cost more than twenty-five percent (25%) of the appraised value of the structure to be renovated, restored, or reconstructed shall only be permissible if the permitee or property owner complies to the extent reasonably possible with all provisions of this Code applicable to the existing use (except that the right to continue a nonconforming use or maintain a nonconforming level of density shall not be lost).

2. For purposes of Subsection (1):

a. The "cost" of renovation, restoration, or reconstruction shall mean the fair market value of the materials and services necessary to accomplish such renovation, restoration, or reconstruction;

b. The "cost" referred to above shall mean the total cost of all such intended work, and no person may seek to avoid the intent of Subsections (1) or (2) above by doing such work incrementally;

c. The "appraised valuation" shall mean either the appraised valuation for property tax purposes, updated as necessary by the increase in the consumer price index since the date of the last valuation, or the valuation determined by a professionally recognized property appraiser; and,

d. Compliance with the requirements of this Code is not considered reasonable if compliance cannot be achieved without adding additional land to the lot where the nonconforming situation is maintained or moving a substantial structure that is on a permanent foundation. Mere financial hardship caused by the cost of meeting such requirements, such as paved parking does not constitute grounds for finding that compliance is not reasonably possible.

3. The limitations of this section shall not apply to structures used for single-family residential purposes, which structures may be reconstructed, renovated, restored, or replaced as long as a Nonconforming Structure or Nonconforming Situation does not increase the nonconformity after the action.

SECTION 706 - CHANGE IN USE OF PROPERTY WHERE A NONCONFORMING SITUATION EXISTS

1. A change in use of property (where a nonconforming situation exists) that is sufficiently substantial to require a new Zoning, Special Use, or Conditional Use permit may not be made except in accordance with Subsections (2) through (5) below.

2. If the intended change in use is to a permitted use in the district where the property is located, and all of the other requirements of this Code applicable to that use can be complied with, permission to make the change must be obtained in the same manner as permission to make the initial use of a vacant lot. Once conformity with this Code is achieved, the property may not revert to its nonconforming status.

3. If the intended change in use is to a permitted use in the district where the property is located, but all of the requirements of this Regulation applicable to that use cannot reasonably be complied with, then the change is permissible if the entity authorized by this Code to issue a permit for that particular use (the Planning Administrator, Board of Adjustment, or Planning Commission) issues a permit authorizing the change. This permit may be issued if the permit issuing authority finds, in addition to any other findings that may be required by this Regulation, that:

    a. The intended change will not result in a violation of Section 702; and,

    b. All of the applicable requirements of this Code that can reasonably be complied with will be complied with. Compliance with a requirement of this Code is not reasonably possible if compliance cannot be achieved without adding additional land to the lot where the nonconforming situation is maintained or moving a substantial structure that is on a permanent foundation. Mere financial hardship caused by the cost of meeting such requirements, such as paved parking, does not constitute grounds for finding that compliance is not reasonably possible. And in no case may an

applicant be given permission pursuant to this Subsection to construct a building or add to an existing building if additional nonconformities would thereby be created.

4. If the intended change in use is to another principal use that is also nonconforming, then the change is permissible if the entity authorized by this Regulation to issue a permit for that particular use (the Administrator, Board of Adjustment, or Planning Commission) issues a permit authorizing the change. The permit issuing authority may issue the permit if it finds, in addition to other findings that may be required by this Code, that:

    a. The use requested is one that is permissible in any zoning district with either a Zoning, Special Use, or Conditional Use permit;

    b. All of the conditions applicable to the permit authorized in subsection (3) of this section are satisfied; and,

    c. The proposed development will have less of an adverse impact on those most affected by it and will be more compatible with the surrounding neighborhood than the use in operation at the time the permit is applied for.

5. If a nonconforming use is changed to any use other than a conforming use without obtaining a permit pursuant to this Section, that change shall constitute a discontinuance of the nonconforming use, with consequences as stated in Article 600.

SECTION 707 - ABANDONMENT AND DISCONTINUANCE OF NONCONFORMING SITUATIONS

1. When a nonconforming use is discontinued for a consecutive period of 365-days, the property involved may thereafter be used only for conforming purposes.

2. If the principal activity on the property where a nonconforming situation other than a nonconforming use exists is discontinued for a consecutive period of 365-days, then that property may thereafter be used only in conformity with all of the regulations applicable to the pre-existing use unless the entity with authority to issue a permit for the intended use issues a permit to allow the property to be used for this purpose without correcting the nonconforming situations. This permit may be issued if the permit issuing authority finds that eliminating a particular nonconformity is not reasonably possible (i.e., cannot be accomplished without adding additional land to the lot where the nonconforming situation is maintained or moving a substantial structure that is on a permanent foundation). The permit shall specify which nonconformities need not be corrected.

3. For purposes of determining whether a right to continue a nonconforming situation is lost pursuant to this section, all of the buildings, activities, and

operations maintained on a lot are generally to be considered as a whole. For example, the failure to rent one (1) apartment in a nonconforming apartment building for 365-days shall not result in a loss of the right to rent that apartment or space thereafter so long as the apartment building as a whole is continuously maintained. But if a nonconforming use is maintained in conjunction with a conforming use, discontinuance of a nonconforming use for the required period shall terminate the right to maintain it thereafter.

4. When a structure or operation made nonconforming by this Code is vacant or discontinued on the effective date of this Code, the 365-day period for purposes of this section begins to run on the effective date of this Code.

5. For purposes of this section, the question of the property owner's or other person's intent is irrelevant, and discontinuance of the required period shall conclusively be presumed to constitute an abandonment of the right to continue the nonconforming situation. However, when a valid Zoning Permit has been issued within the 365-day period, the use shall not be considered discontinued so long as such permit remains valid even though the particular use may not begin within the 365-day period.

SECTION 708 - COMPLETION OF NONCONFORMING PROJECTS

1. When a Construction Permit has been validly issued for construction of a nonconforming project, such project shall be permitted to develop in accordance with the terms of that permit provided the Construction Permit has not been revoked and has not expired. Further, when approval is given to develop a project and more than 5% of the cost of that project is spent on reliance of that approval, such project shall be permitted to develop in accordance with the terms of that Construction Permit.

2. Nothing in this section shall be deemed to conflict with vested rights provisions as found in Section 400 with regard to any properly issued permit.

ARTICLE 800: ZONING DISTRICTS AND ZONING MAP

SECTION 801 – GENERAL ZONING PROVISIONS

This section will be used to detail those land-uses that are general to most or all zoning districts and acts as a catchall location for miscellaneous topics.

1. **Home Occupations** – Home occupations are permitted as an accessory use to any residence. No more than one home occupation shall be carried on the same premises. The following provisions apply:

    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 home occupation either within the dwelling or in an accessory building.

    c. In no way shall the premises be altered or the occupation allowed to operate in a manner that would cause the property or structures to differ its normal residential character.

    d. No traffic shall be generated by the home occupation that would be greater in kind or intensity from a normal residential land-use. Primarily this means that no customer traffic or large truck delivery is allowed.

    e. No outdoor display of goods or outdoor storage of materials used in the home occupation shall be permitted.

    f. Only one (1) nameplate not to exceed four (4) square feet in area will be allowed to be displayed. It shall not be illuminated or appear to be in an objectionable format to the surrounding neighbors.

    g. The use shall not generate traffic, parking, noise, vibration, glare, fumes, odor, or electrical interference beyond what normally occurs in a residential area.

    h. No retail sales are allowed on-site.

2. **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 from an attending medical doctor on original letterhead and signature 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.

c. The property is not part of a subdivision with rules or covenants that preclude two 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.

3. **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.

4. **Telecommunications Facilities** – Federal law allows for the placement of telecommunications facilities regardless of local zoning districts, but in accordance with any required permit procedures. For the ordinances detailing the requirements on Telecommunication facilities refer to Appendix K: Wireless Telecommunications Facilities Siting Ordinance for Camden County.

5. **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 802 - EXEMPTIONS AND LIMITATIONS

1. All agricultural or horticultural property as defined in Section 137.016, RSMo, shall be exempt from any planning and zoning provisions of the Unified Land-Use Code of Camden County. More specifically this shall include the raising of crops, livestock, orchards, or forestry, or to seasonal or temporary impoundments used for rice farming or flood irrigation. As used in this section, the term "rice farming or flood irrigation" means small berms of no more than eighteen inches high that are placed around a field to hold water for use for growing rice of for flood irrigation. These regulations 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.

2. These regulations 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 area map.

3. These regulations shall 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.

SECTION 803 – 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 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.

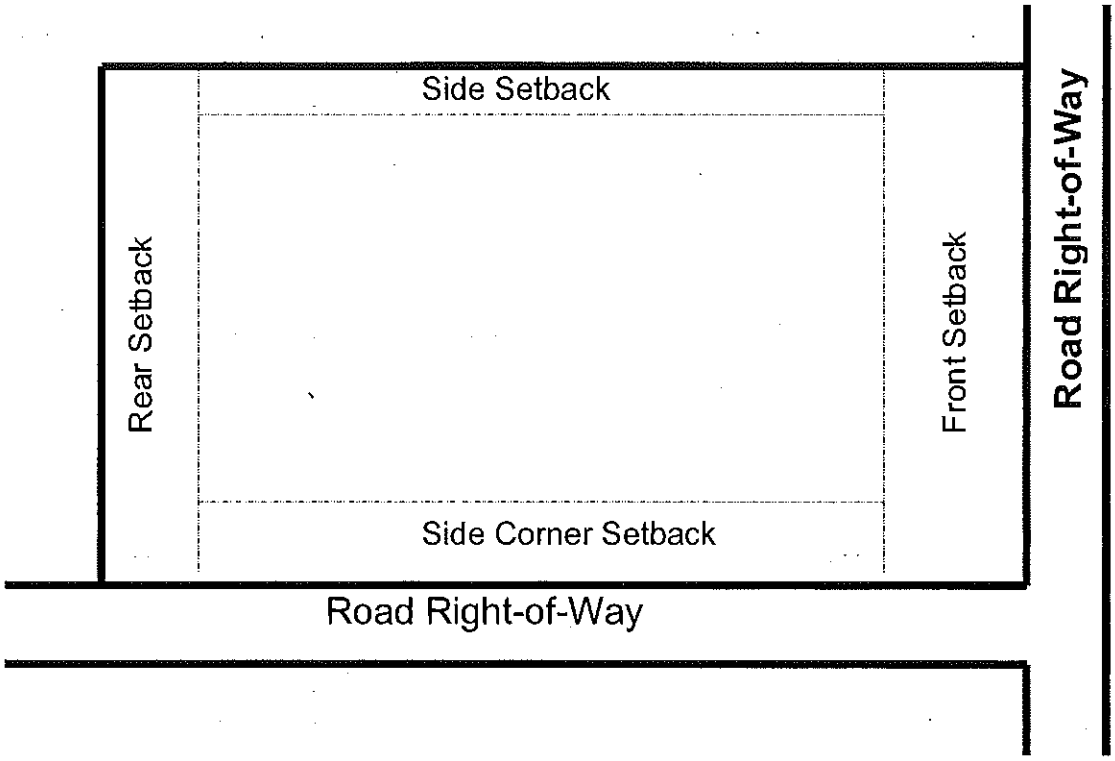
Based on RSMo 64.630 these districts may be of such number, shape and area as may be deemed best suited to carry out the purpose of sections 64.510 to 64.690 RSMo and shall be shown upon the county's zoning plan. Within these districts the erection,

construction, reconstruction, alteration, repair, relocation or maintenance of buildings or structures and the use of land and lots may be regulated and restricted.

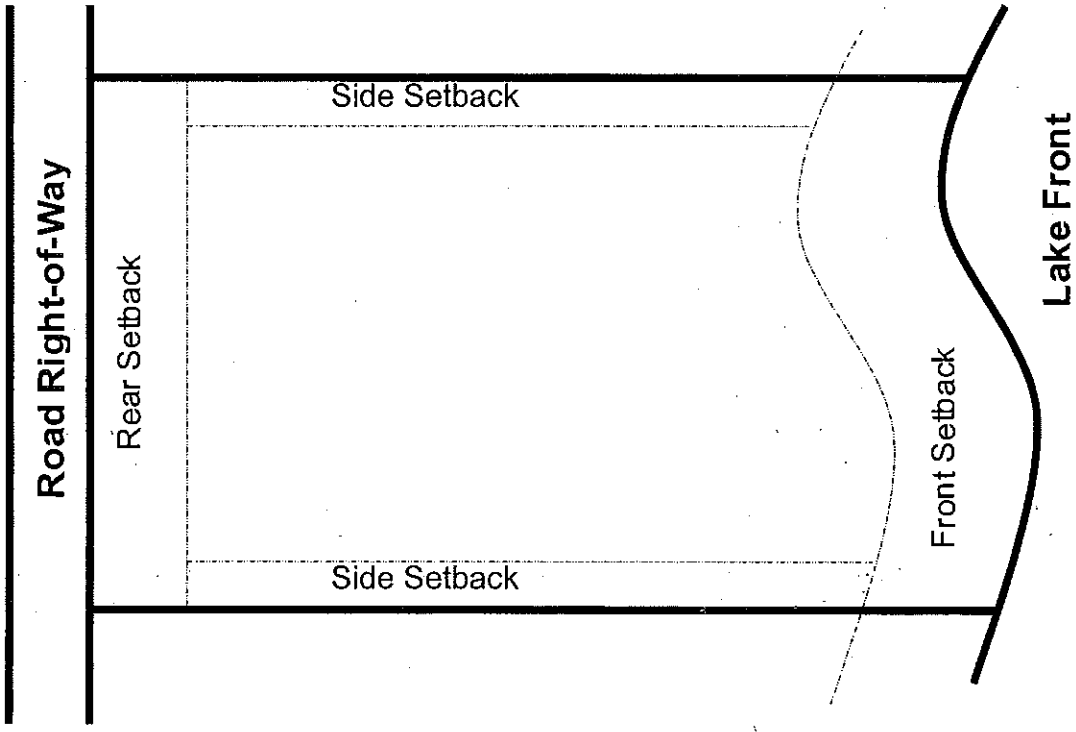
The following zoning districts are established:

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**

Non-Lake Front Lot Setbacks:



Lake Front Lot Setbacks:



SECTION 804 - 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 as defined in Section 137.016, RSMo. More specifically this includes the raising of crops, livestock, orchards, or forestry, or to 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 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

   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 of 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.

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 3000 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 and 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 and 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, and
   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.
   iii. The application is in compliance with existing regulations such as the Camden County Confined Animal Feeding Operations Ordinance

p. Special events that are non-commercial or non-profit in nature

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

a. All tracts and lots of property created after the effective date of these regulations 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.

b. The maximum height of any non-farm 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.

d. Minimum yard setback requirements for non-farm structures:
   i. Minimum front setbacks:
      1. Fifty (50) feet from any publicly maintained roadway
      2. 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
   iv. Minimum rear yard setback - Forty (40) feet

SECTION 805 - 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 as defined in Section 137.016, RSMo. More specifically this includes the raising of crops, livestock, orchards, or forestry, or 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

   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

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.

   i. Special events that are non-commercial or non-profit in nature

5. **Height, Density and Yard Requirements**
   a. All tracts and lots of property created after the effective date of these regulations 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.

   b. All tracts and lots of property created after the effective date of these regulations shall have a minimum area of three (3) acres.

   c. The maximum height of any non-farm 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.

   e. Minimum yard setback requirements:
      Minimum front setbacks:
      Forty (40) feet from any publicly maintained roadway
      Thirty (30) feet from any privately maintained roadway
      Minimum side corner yard setback - Twenty (20) feet

Minimum side yard setback - Twenty (20) feet
Minimum rear yard setback - Twenty (20) feet

SECTION 806 - 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 as defined in Section 137.016, RSMo. More specifically this includes the raising of crops, livestock, orchards, or forestry, or to seasonal or temporary impoundments used for rice farming or flood irrigation

   d. Hunting, fishing and propagation of wildlife

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

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 course

   d. Special events that are non-commercial or non-profit in nature

5. **Height, Density and Yard Requirements**
   a. All tracts and lots of property created after the effective date of these regulations shall have a minimum area of three (3) acres.

   b. The maximum height of any non-farm structure shall 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.

f. 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
   iv. Minimum rear yard setback - Fifty (50) feet

SECTION 807 - 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)

   d. Commercial recreational facilities (snow ski areas, wild animal parks, dude ranch, etc) 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

   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

   b. Private lakefront recreational developments (any development that involves docks, seawalls, or shoreline amendments)

   c. Amusement rides and mechanical recreational facilities

   d. Special events

5. **Height, Density and Yard Requirements**
   a. All tracts and lots of property created after the effective date of these regulations shall have a minimum area of five (5) acres.

b. The maximum height of any non-farm 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 open space

d. Lots and tracts located in the P-1 Parks and Reserve zoning district may include the area of road rights-of-way.

g. 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
    iv. Minimum rear yard setback - Forty (40) feet

SECTION 808- R-1: LOW DENSITY RESIDENTIAL

1. **Purpose of District**
   a. This zoning district is intended for low-density residential development primarily single-family detached 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. Churches and other places of worship not expected to exceed 3,000 gallons of wastewater per day, excluding overnight shelters and temporary outdoor revivals

   c. Educational facilities of general instruction including cultural, administrative, and/or public buildings, not expected to exceed 3,000 gallons of wastewater per day

   d. Neighborhood parks, swimming pools, playgrounds, recreational and community center buildings and grounds, public golf courses, tennis courts, and similar public recreational uses

   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. Boat docks

   c. Garages and garage workshops for private use

   d. Gazebos and similar out-buildings

   e. Noncommercial studios and workshops

   f. Noncommercial nurseries, greenhouses, and gardens

   g. Patios, decks, and similar structures

   h. 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.

i. 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.

j. 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:
   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.
   vii. An Accessory Lot must be associated with a specific residential lot where a primary land-use is allowed although no restriction is placed on ownership of the accessory lot.

k. 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 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 or Planned Unit Developments

   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. Residential Based Business:
   a. 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.
   b. Must meet the following criteria:
      i. No more than one (1) person other than a member of the immediate family occupying the dwelling shall be employed
      ii. 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
      iii. 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
      iv. No truck traffic shall be generated by the business that would be greater in kind or intensity from a normal residential land-use
      v. No outdoor display of goods or outdoor storage of materials used in the Residential Based Business shall be permitted
      vi. Only one (1) nameplate not to exceed four (4) square feet in area will be allowed to be displayed. It shall not be illuminated or otherwise physically appear as a nuisance
      vii. The use shall not generate noise, vibration, glare, fumes, odor, or electrical interference beyond what normally occurs in a residential area
   c. Does not involve the construction of a structure solely for the Residential Based Business. The business must operate from a residential structure or a residential accessory structure
   d. Cannot be located within the area of a recorded residential subdivision with the following stipulations:
      i. The term subdivision does not refer to the great lot divisions of Shawnee Bend 1-6 or Horseshoe Bend 1-9
      ii. Subdivisions in which all lots are 3-acres or larger may be excluded from this stipulation by the Planning Commission
      iii. Residential Based Businesses shall not be allowed in subdivisions that specifically preclude commercial land-uses within legally active recorded covenants or restrictions
   e. 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
   f. Any retail sales must meet the following stipulations:
      i. No sales of alcohol or petroleum based fuels
      ii. Does not involve the sale of fireworks or other explosive products

iii. The retail sales portion of the Home Based Business may not exceed 80% the allowed square footage (as explained in item i, b, ii above)

g. Customer parking must be provided and clearly marked on-site

h. A Residential Based Business can be approved only for an owner occupied property

i. Home Based Business operations may not have hours of operation (open to public) that start earlier than 7:00 AM or extend past 10:00 PM of any day of the week

J. Special Events that are non-commercial or non-profit in nature

k. Lake Development Project: For one or two-family residential developments that are due primarily to such physical parameters as topography, shoreline configuration, soil and rock conditions, etc. and where the project acreage is not large enough to classify as a Planned Unit Development (PUD), the Planning Commission may issue a Conditional Use Permit that will allow carefully designed projects with 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.

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 (or Rear if 2nd Tier)	= 25 feet

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

a. All tracts and lots of property, excluding those for utility facilities and Accessory Use lots, created after the effective date of these regulations 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 cannot be reduced below 25-feet in this manner.

b. All tracts and lots of property created after the effective date of these regulations 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 8,500 square feet. For purposes of Minor Plat approval, any lot that is less than 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.

c. Lots and tracts located in the R-1 Low Density Residential zoning district shall not include the area of road rights-of-way.

f. Minimum yard setback requirements:
   i. Minimum front yard setback - Twenty-five (25) feet
   v. Minimum side corner yard setback - Fifteen (15) feet
   vi. Minimum side yard setback - Ten (10) feet
   vii. Minimum rear yard setback - Fifteen (15) feet

SECTION 809- R-2: MEDIUM DENSITY RESIDENTIAL

1. **Purpose of District**

   a. This zoning district is intended for medium-density residential development primarily two or three-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) of fewer dwelling units such as duplexes, town homes and other similar residential structures

   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

   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

   e. Boarding house with no more than three (3) rooms used for boarding

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

   a. All tracts and lots of property, excluding those for utility facilities and Accessory Use lots, created after the effective date of these regulations 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 cannot be reduced below 25-feet in this manner.

   b. All tracts and lots of property, excluding those for utility facilities and Accessory Use lots, created after the effective date of these regulations 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. Minimum yard setback requirements:
      i. Minimum front yard setback - Twenty-five (25) feet
      ii. Minimum side corner yard setback - Fifteen (15) feet
      iii. Minimum side yard setback - Ten (10) feet
      iv. Minimum rear yard setback - twenty (20) feet

SECTION 810 - 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

   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

   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

c. Hotel or motel facility 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
   iii. Sufficient parking and buffering from all other residential uses to mediate any adverse effects

5. **Height, Density and Yard Requirements**
   a. All tracts and lots of property, excluding those for utility facilities and Accessory Use lots created after the effective date of these regulations 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 cannot be reduced below 25-feet in this manner.

   b. All tracts and lots of property created after the effective date of these regulations 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. Minimum yard setback requirements:
      i. Minimum front yard setback - Thirty (30) feet
      ii. Minimum side corner yard setback - Fifteen (15) feet
      iii. Minimum side yard setback - Ten (10) feet
      iv. Minimum rear yard setback - twenty-five (25) feet

SECTION 811 - 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 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. Class B Manufactured Home

   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

   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.

b. Minimum yard setback requirements: (includes MHP perimeter)
   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
   iv. Minimum rear yard setback - twenty (20) feet

SECTION 812 - 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

   j. Medical clinic's to include doctor's 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, 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.

   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 store with outdoor fuel sales

   e. Medical clinic with pharmacy

   f. Commercial kennel without veterinary clinic

   g. Self-Storage Facility (indoor storage)

5. **Height, Density, and Yard Requirements**
   a. The maximum height of any structure shall be fifty (50) feet above the finished grade.

   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.

   d. All tracts and lots of property created after the effective date of these regulations shall have a minimum area of one (1) acre.

   e. A maximum of 50% of the development site shall be covered with impervious cover (roofs, parking, sidewalks, etc.)

   f. Lots and tracts located in the B-1 Office / Low Impact Commercial zoning district shall not include the area of road rights-of-way.

   g. Minimum yard setback requirements:
      i. Minimum front yard setback - Twenty-five (25) feet
      ii. Minimum side corner yard setback - Twenty (20) feet
      iii. Minimum side yard setback - Twenty (20) feet
      iv. Minimum rear yard setback - Twenty (20) feet

SECTION 813 - 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 citizens from a more than local distance.

   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 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. Bar, restaurant, cocktail lounge, liquor store, billiard parlor, pool hall, bowling alley, and similar uses provided that such use is conducted within a completely enclosed building.

   f. Camper or travel trailer park developed in compliance with Appendix F.

   g. Drive-in eating and drinking establishments, summer gardens and road houses, including 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, 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

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, companionship services.

   b. Single-family dwelling to include site built homes, modular homes, 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

   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**
   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. All tracts and lots of property created after the effective date of these regulations shall have a minimum road frontage dimension of seventy (70) feet.

   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. 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. Minimum yard setback requirements:
   i. Minimum front yard setback - Thirty (30) feet
   v. Minimum side corner yard setback - Twenty (20) feet
   vi. Minimum side yard setback - Twenty (20) feet
   vii. Minimum rear yard setback - Twenty (20) feet

SECTION 814 - 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 yard, not to include concrete mixing

    h. Retail lumber yard

    i. Stone and concrete monument and statuary sales yard

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
        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

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**

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. All tracts and lots of property created after the effective date of these regulations shall have a minimum road frontage dimension of sixty (60) feet.

c. All tracts and lots of property created after the effective date of these regulations 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. 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
   iv. Minimum rear yard setback - Thirty (30) feet

SECTION 815 - 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 center and Transfer station

   d. Quarries and extraction sites

   e. Manufacturing including processing, creating, repairing, renovating, painting, cleaning, assembly of goods, merchandise and equipment and similar uses.

   f. Truck or bus terminal

   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

   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.

   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.

    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**
    a. The maximum height of any structure, excluding utility structures, shall be one hundred and twenty (120) feet above the average finished grade.

    b. All tracts and lots of property created after the effective date of these regulations 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. Minimum yard setback requirements:
        i. Minimum front yard setback - Fifty (50) feet
        v. Minimum side corner yard setback - Twenty-five (25) feet
        vi. Minimum side yard setback - Twenty (20) feet
        vii. Minimum rear yard setback - Forty (40) feet

SECTION 816 - SUPPLEMENTAL ZONING PROVISIONS

1. **Permissible Uses and Specific Exclusions**
    a. The presumption established by these regulations is that all legitimate uses of land are permissible within at least one zoning district included in the Camden County Zoning District.

    b. Notwithstanding Subsection (1), all uses that are not listed as a principal permitted use in a zoning district, even given the liberal interpretation mandated by Subsection (1), are prohibited. Nor shall the zoning districts be interpreted to allow a use in one zoning district when the use in question is more closely related to another specified use that is permissible in other zoning districts.

    c. Without limiting the generality of the foregoing provisions, 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 it can be used for that purpose and for meeting rooms, classrooms, and other similar uses.

2. **Accessory Uses**
    a. Each zoning district classifies different principal uses according to their different impacts. Whenever an activity is conducted in conjunction with another principal use and it meets the following criteria it can be considered an accessory use to the principal use and may be continued under the umbrella of the permit issued for the principal use:
        i. The activity constitutes only an incidental or insubstantial part of the total activity that takes place on the property.
        ii. The activity is commonly associated with the principal use and integrally related to it.

    b. For purposes of interpreting Subsection (1):
        i. An activity may be regarded as incidental or insubstantial if in and of itself it is incidental or insubstantial or in relation to the principal use.
        ii. To be "commonly associated" with a principal use it is not necessary for an accessory use to be connected with such principal

use more times than not, but only that the association of such accessory use with such principal use takes place with sufficient frequency that there is common acceptance of their relations.

c. Without limiting the generality of Subsections (1) & (2), the following activities, so long as they satisfy the general criteria set forth above, are specifically regarded as accessory to residential principal uses:
   i. 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.
   ii. Hobbies or recreational activities of a noncommercial nature.
   iii. The renting out of one room within a single-family 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.
   iv. 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.

d. Without limiting the generality of Subsections (1) & (2), storage outside of a substantially enclosed structure of more than two (2) motor vehicles that are unlicensed or are not operational, shall not be regarded as accessory to a residential principal use and are prohibited in residential districts.

3. **MISCELLANEOUS YARD PROVISIONS**
   a. Subject to other provisions of this section, 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 in 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 forgoing, the following structures shall be deemed to fall within this description:
         1. Fuel pumps and overhead canopies and roofs

2. 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 have been established through the previous construction of two or more structures, along the lakefront or a roadway (Front), the Planning Administrator may, at his discretion, determine the proper setback for new construction consistent with the previously established build line. (This option is specifically designed for infill development in already established developments). The Planning Administrator may use Covenants and Restrictions recorded prior to June 1, 2004 for existing subdivisions as a guide.

c. Subdivisions that have been recorded prior to the effective date of these regulations that have building setback lines labeled on the final plat different from the required setbacks of the applicable zoning district shall comply with the recorded setbacks of the subdivision.

d. Subdivisions that have been recorded after the effective date of these regulations that have building setback lines labeled on the final plat different from the required setbacks of the applicable zoning district shall comply with the either the recorded setbacks of the subdivision or the setbacks for the zoning district whichever are larger.

ARTICLE 900: PLANNED UNIT DEVELOPMENT (PUD)

SECTION 901 - PURPOSE AND INTENT

The Planned Unit Development (PUD) is a development option that provides a degree of flexibility to larger scale developments than would normally not be the case in any single zoning district. The ability to mix land-uses, modify regulatory design standards, and develop a particular theme, provides a developer with many advantages. At the same time the cohesive or unified nature of such a large development allows the County to ensure that an enhancement of the built environment is provided to the citizenry. To this end the following detail the intent for this Article:

1. To permit flexibility in site design by taking into consideration varying topographic conditions present within the proposed site.

2. To achieve more efficient use of the land, which can result from larger scale or multiple-use developments.

3. To encourage the provision of open space and other amenities that will create quality developments.

4. To protect and preserve scenic assets and natural features and to have these features incorporated within the development.

5. To foster a more stable community by providing a variety and balance of housing types and living environments.

6. To encourage and permit variety in the location of buildings, roads, parking facilities, and other infrastructure activities.

7. To increase the safety of pedestrian and vehicular traffic by reducing the number of traffic conflict points within a developments.

SECTION 902 - APPLICATION AND PROCESSING PROCEDURE

1. **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.

2. **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:

a. Completed Application

b. Development (or Area) Plan

c. Property Ownership information (Warranty Deed)

d. Complete legal description of the property involved in the proposal

e. Detailed written description of the proposed development

3. Development (or Area) Plan - The plan is a combination of the graphical and written description of the proposed Planned Unit Development. At a minimum it must include:

   a. Name of the proposed "PUD" project.

   b. Scale, date, north arrow, and developer's name.

   c. A key map showing the "PUD" in relation to the surrounding area.

   d. Existing - A graphical representation of the proposed development and the area within <u>two hundred (200)</u> 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, Stormwater, etc.).

   e. 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.

   f. 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.

   g. 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.

   h. Proposed phasing plan or stages of development.

i. The number, size, and location of all lots, land-uses, and structures must be clearly represented.

j. Residential Data:

   i. Estimated total and type of residential units.

   ii. Amount of land to be dedicated to each residential land-use.

   iii. 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.

k. Commercial Data:

   i. Estimated total building square footage by land-use type.

   ii. Percentage of building coverage by land-use type.

   iii. Total parking and loading/unloading areas to be provided.

   iv. 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.

l. Any additional information deemed necessary by the Planning Administrator to adequately illustrate the proposed development.

4. The Planning Commission will review the proposed Planned Unit Development using the same hearing procedure as that used for a Conditional Use Permit. The Public Hearing may be held jointly with the public hearing on any other zoning change and/or Conditional Use Permit or other requested variances that result from the proposed development.

5. Due to the complex nature of a "PUD" the Planning Commission shall not have the option to move a request of this nature to "Old Business" and vote a decision at the same public hearing it is reviewed. The Review Committee is to be given the opportunity to review and make recommendation on all "PUD" requests.

6. At the Decision Hearing the Planning Commission shall either approve or deny the Development (or Area) Plan. The decision to approve can include any conditions of approval deemed necessary by the Planning Commission. In the event that the decision is for denial of the Area Plan 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 opportunity to revise the

plan. In this event the Planning Commission shall have the right to approve or deny the revised plan and no further revision periods will be allowed.

7. If the Area Plan is approved by the Planning Commission, the applicant shall review the Area Plan in its approved form. The Applicant and the owner(s) of record shall provide to the Camden County Planning Administrator a signed and notarized statement that the approved Area Plan shall be binding on the applicant and the owner(s) of record and upon the heirs, successors, and assigns. The Planned Unit Development shall not be considered to be in an approved status until this statement is submitted.

8. 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 such Zoning and Construction Permits as are necessary shall be acquired.

SECTION 903 - STANDARDS FOR AREA PLAN APPROVAL

1. The minimum land area for a "PUD" project is twenty (20) acres. It is possible for the Planning 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).

2. The use of land shall be in general conformance with the permitted uses of the zoning district in which the proposed development is to be located, and conforms to the adopted County Master Plan or represents land-use policy, which in the Planning Commission's opinion, is a logical and acceptable change in the Master Plan. The Planning Commission may authorize the incorporation of any of the possible Conditional-Use Permit land-uses, from the zoning district it is located in, within a Planned Unit Development as long as each such use is clearly delineated and conforms to appropriate controls.

3. 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.

4. The proposed development shall be adequately served by public facilities and services such as: highways, streets, easements, drainage courses, Stormwater retention and detention facilities, water and sanitary facilities, in a manner acceptable to the Planning Commission. All such facilities will be required to be permitted by the appropriate agency.

5. Each phase of the development (or stage of development) shall be required to follow the approved Area Plan.

6. 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 to the surrounding land. All created open spaces shall be permanently secured as such to the satisfaction of the Planning Commission.

7. The location of the proposed land-uses, layout of the site, and its relation to streets providing access to it, shall be such 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 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.

8. When considering the development as a whole the Planning 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. In all cases where allowing a land-use would be interpreted as a change in the zoning district the approval must be addressed through a public hearing and the final decision made by the Camden County Commission (see Section 316).

SECTION 904 - EFFECT OF AREA PLAN APPROVAL

1. The approval by the Planning Commission of the Area Plan shall assure the applicant that provided that all land development, platting, and construction is diligently pursued in compliance to the development plan all approvals, permits, and final plats will be forthcoming.

2. 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.

3. Approval of the "PUD" shall be recognized as the developer's right to construct the development.

SECTION 905 - AMENDMENT OF A "PUD" PROJECT

1. Minor Modifications - Any proposed change in a "PUD" that constitutes a minor alteration can be approved by the Planning Administrator. No reduction of open space, increase in the number of lots, increase in the intensity of use, or any change in land-use, can be considered a minor change.

2. Any proposed alteration in a "PUD" that exceeds what could be considered a minor change by the Planning Administrator must be submitted to the Planning Commission for administrative review and approval. The change does not have to be advertised or dealt with through a public hearing. The amendment will be submitted to the Planning Commission in an open hearing venue for review and recommendation to the Planning Commission who will review and decide to approve or deny the amendment.

3. If the Planning Administrator or the Planning Commission decides that the amendment is of sufficient magnitude as to significantly alter the nature or character of the development the amendment will be required to be submitted to the Planning Commission for public hearing in the same manner as a Conditional-Use Permit.

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 six dwelling units and is expected to or does handle up to 75 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 7 but no more than 30 dwelling units and is expected to or does handle between 75 and 300 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 servers 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.

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 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).

6. Agricultural entrances that are not intended for residential access are waived from meeting any requirement or standard of the Unified Land-Use Code. However the authority established in Subsections (4) & (5) does apply to all types of entrance ways regardless.

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.

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 1200 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 guard rails shall be 12 percent. On streets constructed with guard rails, 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. Guard rails 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 guard rails 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 guard rails 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 guard rail 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 is Subsection (2) or (3).

2. In residential developments that have average lot sizes of two (2) acres or larger or in non-residential developments that have average lot sizes of three (3) acres or larger, the following classification of streets may be constructed with six-foot-wide shoulders and drainage swales (ditches) on either side in lieu of curb and gutter, so long as the street grade meets the standards of Section 1006. Such streets shall be constructed to meet the criteria indicated in the table that follows, as well as the specifications referenced in Subsection 1009.

Street Type	Minimum Right-of-Way Width	Minimum Pavement Width
Minor Street	**40 feet**	**20 feet**
Local Street	**45 feet**	**20 feet**

3. In residential developments that have average lot sizes of less than or equal to two (2) acres or in non-residential developments that have average lot sizes of less than or equal to three (3) acres and except as otherwise provided in Subsection (2), all streets shall be constructed with curb and gutter and shall conform to the other requirements of this subsection. Only standard 90-degree curb may be used, except that roll-type curb shall be permitted along minor and local streets within residential subdivisions. Street pavement width shall be measured from curb face to curb face where 90-degree curb is used, and from the center of the curb where roll-type curb is used.

Street Type	Minimum ROW Width	Minimum Pavement Width	Sidewalk
Minor Street	**40**	**20**	**None**
Local Street	**45**	**22**	**One Side**
Collector Street	**50**	**26**	**One Side**
Arterial Street	**60**	**30**	**Varies**
Commercial	**60**	**36**	**Two Sides**

4. The sidewalks required by this section shall be at least four (4) 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), 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.

c. Such walkways would serve the residents of the development as adequately as concrete sidewalks; and

d. Such walkways would be more environmentally desirable or more in keeping with the overall design of the development.

5. The requirements for sidewalks as referenced in Subsections (3) & (4) are not required in single-family residential developments that have average lot sizes greater than one (1) acre in area and in two-family residential developments that have average lot sizes greater than one and one-half (1 ½) acres in area. Multi-family and commercial developments shall provide sidewalks.

6. 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.

7. 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 meet the construction standards from Subsections (3) & (4).

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 in 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 (1/8th 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 (1/8th 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 is 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 unsubdivided 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 four (4) 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 and 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.

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 either 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 then 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 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	THEN
Uses within the development are to be served by on-site sanitary facilities	Certification by the Camden County permitting authority.
Uses within the development are to be served by a public sewage disposal system.	Certification by the public entity, that operates the system, that capacity exists and service is available.
Uses within the development are to be connected to an existing approved central sewage collection system.	Certification by the owning entity and the Missouri Department of Natural Resources (MDNR).
Uses within the development are to be served by a sewage treatment system	Certification by Camden County for developments involving less than

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

IF	THEN
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

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.

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 be 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: LAND DISTURBANCE

SECTION 1201 - 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. The Land Disturbance Permit is intended to address those issues that occur during development concerning sediment & erosion control and those issues that are long term 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:

1. All Agricultural activities as defined by the Revised Statutes of Missouri

2. Any residential site development that involves less than one (1) acre of disturbed area.

3. Any work required by Camden County that is of an emergency or corrective nature that involves public safety.

SECTION 1202 - SEDIMENT & EROSION CONTROL

1. 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.

2. 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.

3. 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.

4. 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.

5. 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:

   a. The restriction for a vertical slope as referenced above shall not apply to mining operations.
   b. 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.

SECTION 1203 - NATURAL DRAINAGE SYSTEM

1. 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.

2. 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.

3. 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 times the width of the stream at the top of the bank or 20-feet on each side, whichever is greater.

SECTION 1204 - DEVELOPMENTS MUST DRAIN PROPERLY

1. 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:

   a. The retention results from a technique, practice or device deliberately installed as part of an approved sedimentation or storm water runoff plan; or

   b. 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.

2. No surface water may be channeled or directed into a sanitary sewer.

3. 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.

4. Use of drainage swales (ditches) rather than curb and gutter and storm sewers in subdivisions is provided for in Section 1006. 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 of if other sufficient reasons exist to require such construction.

5. Construction specifications for drainage swales, curb and gutters, and storm drains are contained in Appendix C.

SECTION 1205 - 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:

1. 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; and

2. 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.

3. 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.

4. 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. To meet the standards of Section 1205, refer to Appendix D: Technical Plan Requirements for design criteria and submittal needs.

SECTION 1206 - STORM WATER MANAGEMENT PLAN REQUIRED

1. 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 Area Plan by the Planning Commission, 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.

2. The Camden County 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 enough nature as to not necessitate any Stormwater facilities. Such a waiver does not remove the responsibility from the developer from meeting the standards of Sections 1201, 1202, and 1203.

3. 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.

SECTION 1207 - STORMWATER FACILITY MAINTENANCE

1. 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.

2. Failure to adequately maintain a storm drainage facility is hereby declared a violation.

3. 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.

SECTION 1208 – 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.

ARTICLE 1300: PARKING STANDARDS

SECTION 1301 - 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 1302 - 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 1303.

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 rise. 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).
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	1 space per 300 square feet of gross floor area.

fraternal or private clubs	
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.
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.

SECTION 1303 - 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 1302 (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 1302, the Planning Administrator may permit deviations from the presumptive requirements of Subsection 1302 (5) and may require more parking or allow less parking whenever he finds that such deviations are more likely to satisfy the standard set forth in Subsection 1302 (5). 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 1302 (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.

3. Whenever the permit issuing authority allows or requires a deviation from the presumptive parking requirements of Subsection 1302 (5), it shall enter on the face of the permit the parking requirement that it imposes and the reasons for allowing or requiring the deviation.

4. If the permit issuing authority concludes, based upon information it receives in the consideration of a specific development proposal, that the presumption established by Subsection 1302 (5) for a particular use (or group of uses) is erroneous, it shall initiate a request for an amendment to the Table of Parking Requirements in accordance with the procedures set forth in Article XIV.

SECTION 1304 - 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 1305: 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-feet-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 1306: 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 1307: 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 1308: 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 1309: 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. All such satellite parking spaces (except spaces intended for employee use) must be located within 400 feet of a public entrance of a principal building housing the use associated with such parking, or within 400 feet of the lot on which the use associated with such parking is located if the use is not housed within any principal building. Satellite parking spaces intended for employee use may be located within any reasonable distance.

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.

4. Persons who obtain satellite parking spaces in accordance with this section shall not be held accountable for ensuring that the satellite parking areas from which they obtain their spaces satisfy the design requirements of this article.

SECTION 1310: 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 1302 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 1302 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 1302 and 1304. 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 1311: 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 1400: AMENDMENTS

SECTION 1401 - AMENDMENTS IN GENERAL

1. 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 Article and in compliance with RSMo 64.645.

2. All other amendments to the zoning district map that are not classified as Major Map Amendments shall be referred to as a minor map amendment.

SECTION 1402 - 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.

    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 as provided in Subsection (2) the Planning Administrator shall either:

    a. Treat the proposed amendment as one initiated by the County and proceed in accordance with Subsection (1) 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 a Code amendment should be drafted and a public hearing process begun in accordance with Subsection (4).

4. Upon receipt of a petition for amendment as provided for in Subsection (2) the County Commission may remand the issue to the Planning Commission for a public hearing process in accordance with Subsection (1).

SECTION 1403 - 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 recommendation concerning the amendment to the County Commission. The Planning Commission may continue this review process by continuing the public hearing as is deemed necessary.

3. The County Commission may proceed at any time and may render a decision on the proposed amendment regardless to the status of the Planning Commissions recommendation.

SECTION 1404 - 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 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 if any, can be obtained from the Planning Department offices.

e. State that substantial changes in the proposed amendment may be made following the public hearing.

4. The administrator shall make every reasonable effort to comply with the notice provisions set forth in this section.

SECTION 1405 - 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 1406 - 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 filled 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: SUBDIVISION 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 proposes 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: ¼ Section, ¼ 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 10 CSR 30-2, "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 (floodplain) if known
    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).

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 Director.

I hereby certify that all streets shown on this plat are within Camden County's Lake District Planning Area jurisdiction, all streets and other improvements shown on this plat have been installed or completed or that their installation or completion (within 24 months after the date below) has been assured by the posting of a performance bond or other sufficient surety, and that the subdivision shown on this plat is in all respects in compliance with the Unified Land-Use Regulations, and therefore this plat has been approved by the Planning Director, subject to its being recorded in the County Recorder of Deed's Office within 60 days of the date below.

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. No sample signature block is provided. Contact the Recorder of Deeds Office to determine if a specific format is required.

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 1300.

8. Written evidence of good faith efforts to acquire satellite parking spaces under the circumstances set forth in Article 1300.

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 summaries the minimum standards for all subdivision and private roads approved by the Planning Commission:

	MINOR	LOCAL	COLLECTOR	ARTERIAL
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	150 feet	200 feet	250 feet	350 feet

C-2: CUT AND FILL SLOPES

Cut and fill slopes on any road right-of-way may not exceed 2:1.

C-3: SIGHT DISTANCES AT INTERSECTIONS

1. At no-stop intersections, the intersection shall be constructed so that a person standing at a location on the centerline of any street 90-feet from the intersection of the street centerlines has unobstructed view to a point located on the centerline of the intersecting street 90-feet (in either direction) from the intersection of the street centerlines. See Standard Drawing No. 1.

2. Subject to Subsection (3), at 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 Standard Drawing No.2.

3. At stop intersections where a residential street intersects with a state maintained primary road, the intersection shall be constructed so that a person standing 30 feet back of the intersection of right-of-way lines on the stop street has an unobstructed view to a point on the centerline of the through street located 150 feet from the intersection of the street right-of-way lines. See Standard Drawing No. 3.

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 Standard Drawings No. 4 and No. 5. 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.

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 AASHO 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 sheepsfoot 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 AASHO 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 one two-inch layer, 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 allow pavement sections constructed to lesser standards than those set forth above (for good soils) or 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 Standard Drawing No. 6 or No. 7.

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 30 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 false joints every 10 feet.

2. Curb and gutter shall be constructed in accordance with Standard Drawing No. 8.

C-12: SIDEWALKS

Sidewalk construction shall be similar to street construction, with subgrade compacted to 95 percent AASHO T99. Concrete sidewalks shall be four inches thick (increasing to six inches thick at driveway entrances), and shall be at least four feet wide. Expansion joints shall be provided every 30 feet; false joints at 10 feet.

C-13: WHEEL CHAIR RAMPS

Where required, wheel chair ramps shall be constructed in accordance with Standard Drawing No. 9.

C-14: STORMWATER RUNOFF CONTROL

1. The minimum design frequency for storm runoff shall be 10 years for storm water collection and 50 years for cross drainage (i.e., drainage facilities crossing a street).

2. All storm drainage pipe shall be reinforced concrete and no pipe may be smaller than 15 inches in diameter.

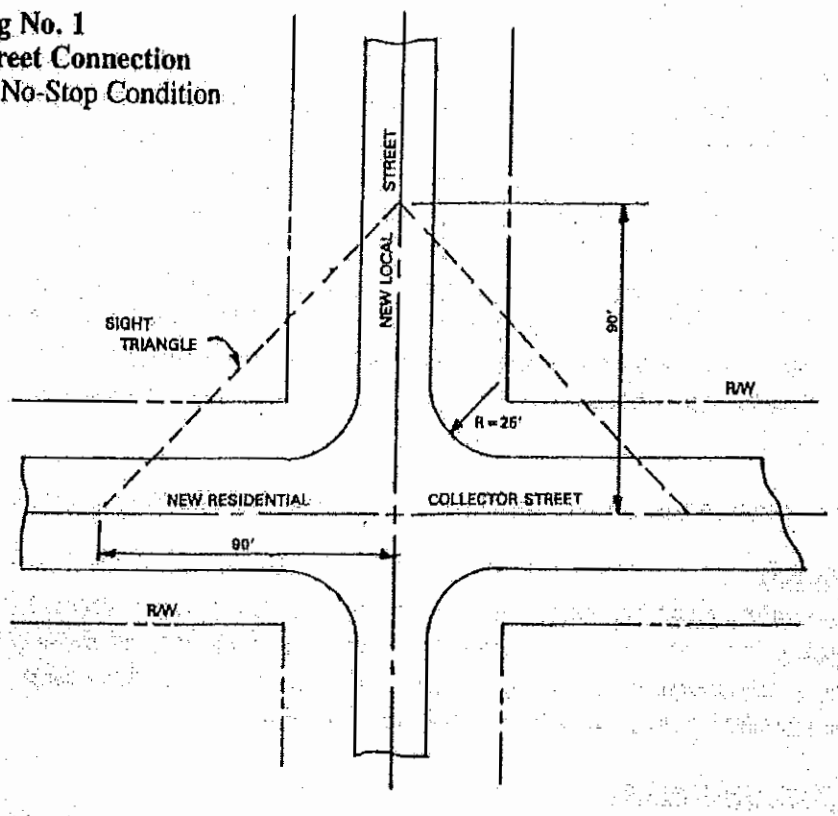
3. Culvert outlet protection and swale erosion protection shall be designed based on a 50-year storm.

4. All storm drainage structures and pipes shall be designed and constructed in accordance with Camden County Highway Department specifications and Standard Drawings No. 10 through No. 14. However, in case of a conflict, the standard drawings shall prevail.

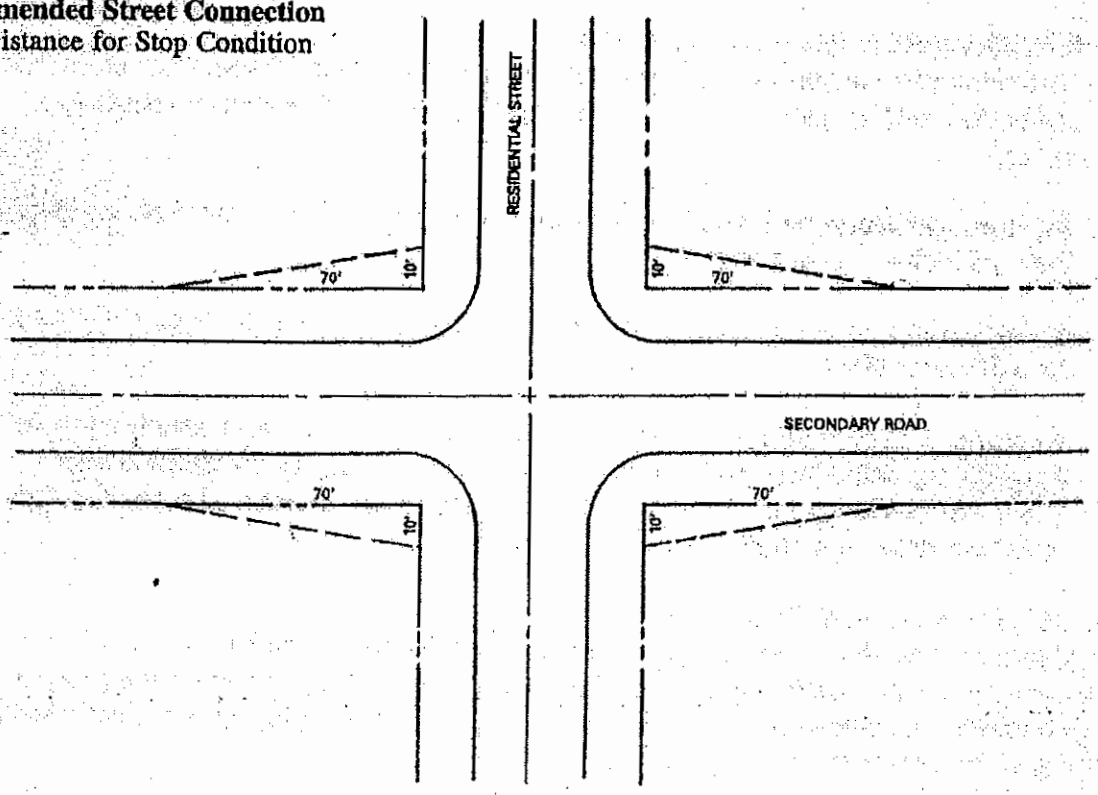
C-15: SEDIMENTATION CONTROL

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.

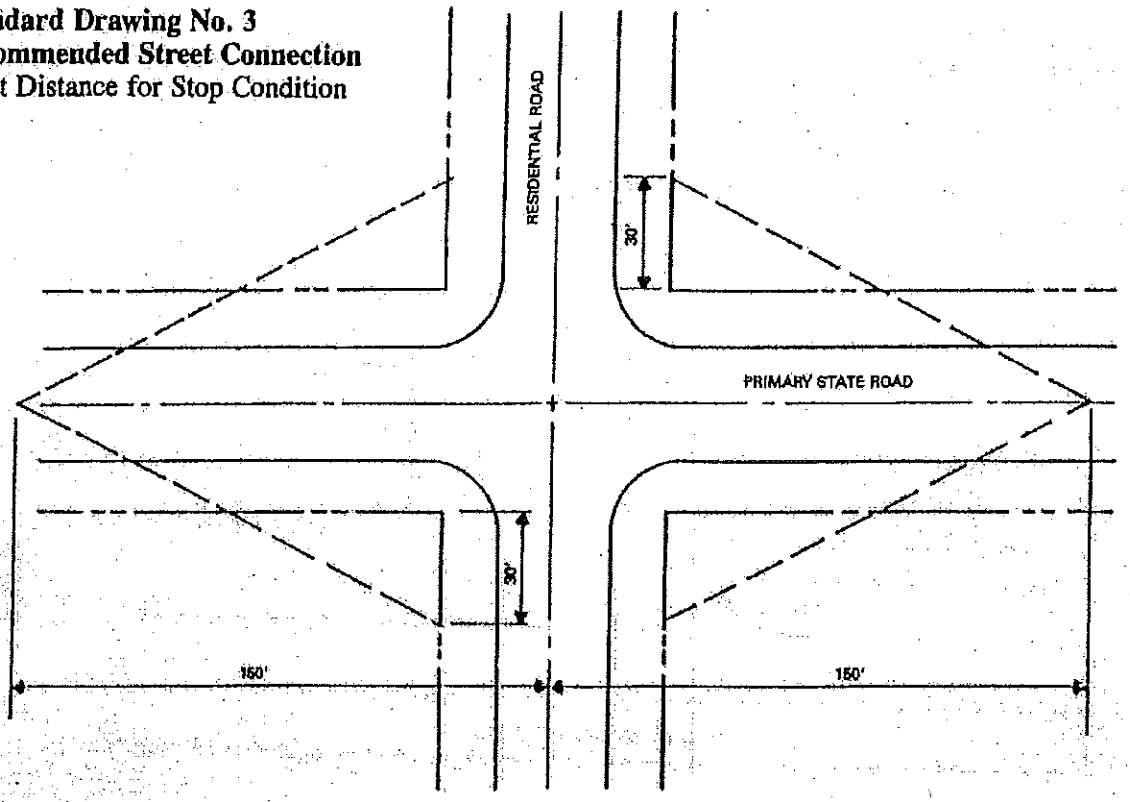
Standard Drawing No. 1
Recommended Street Connection
Sight Distance for No-Stop Condition



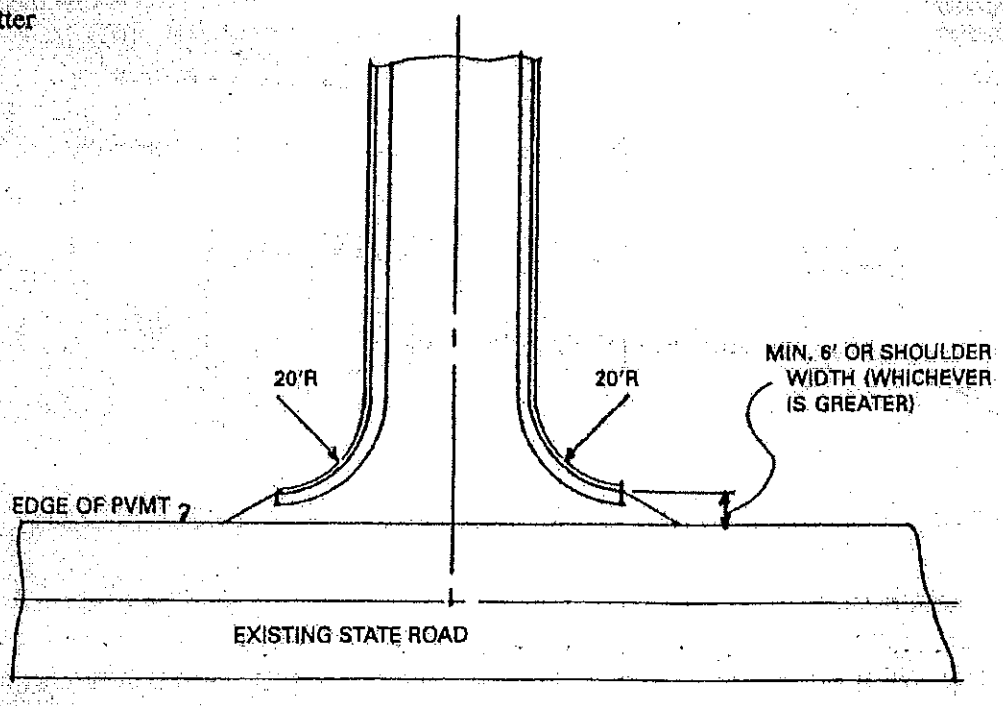
Standard Drawing No. 2
Recommended Street Connection
Sight Distance for Stop Condition



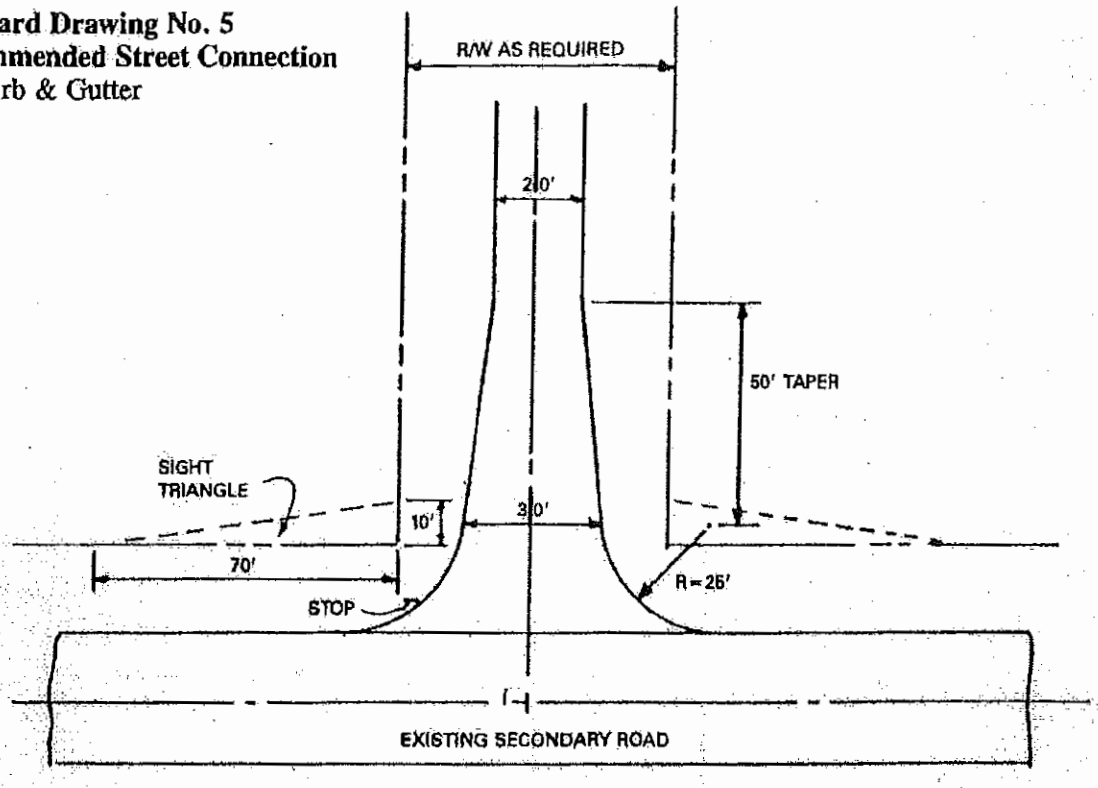
Standard Drawing No. 3
Recommended Street Connection
Sight Distance for Stop Condition



Standard Drawing No. 4
Recommended Street Connection
Curb & Gutter

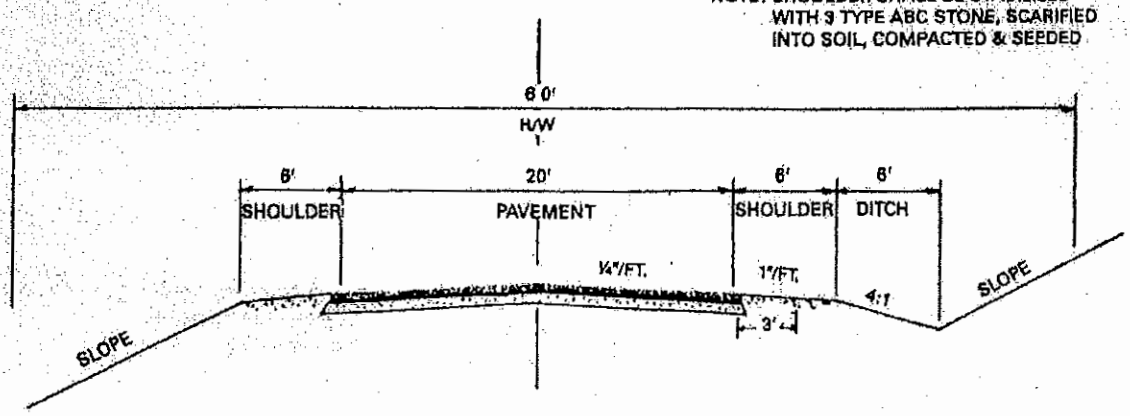


Standard Drawing No. 5
Recommended Street Connection
No Curb & Gutter



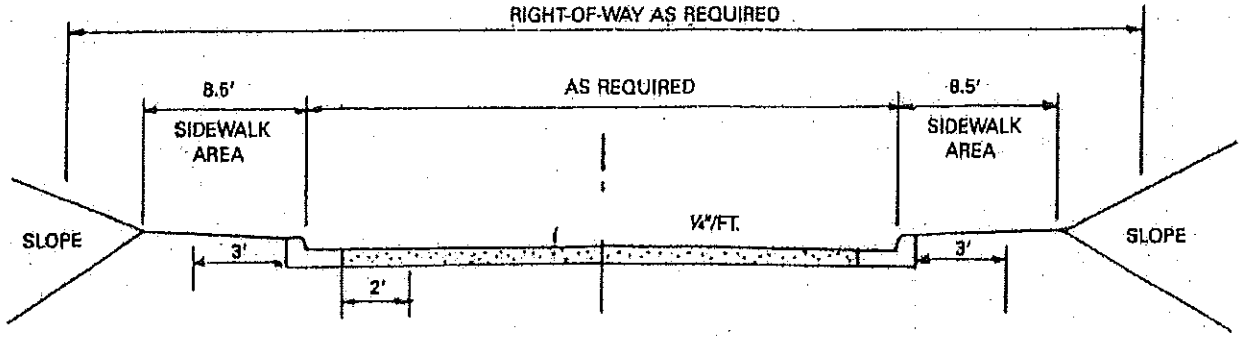
Standard Drawing No. 6
Residential Street
No Curb & Gutter

NOTE: SHOULDER SHALL BE STABILIZED WITH 3 TYPE ABC STONE, SCARIFIED INTO SOIL, COMPACTED & SEEDED



TERRAIN	MAX. SLOPE
LEVEL	2:1
ROLLING	2:1
HILLY	1½:1

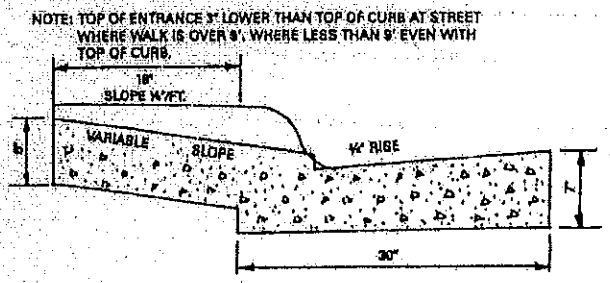
Standard Drawing No. 7
Residential Street
Curb & Gutter



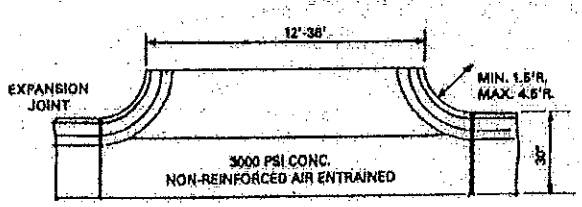
TERRAIN	MAX. SLOPE
LEVEL	2:1
ROLLING	2:1
HILLY	1½:1

Standard Drawing No. 8
Standard Curb & Gutter

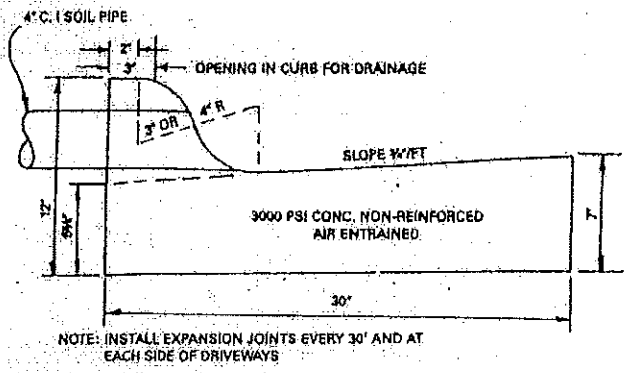
Concrete Driveway & Gutter



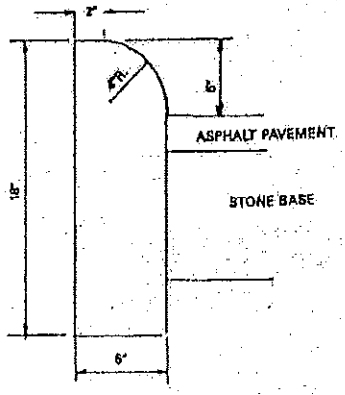
Plan of Driveway Entrance



Curb & Gutter

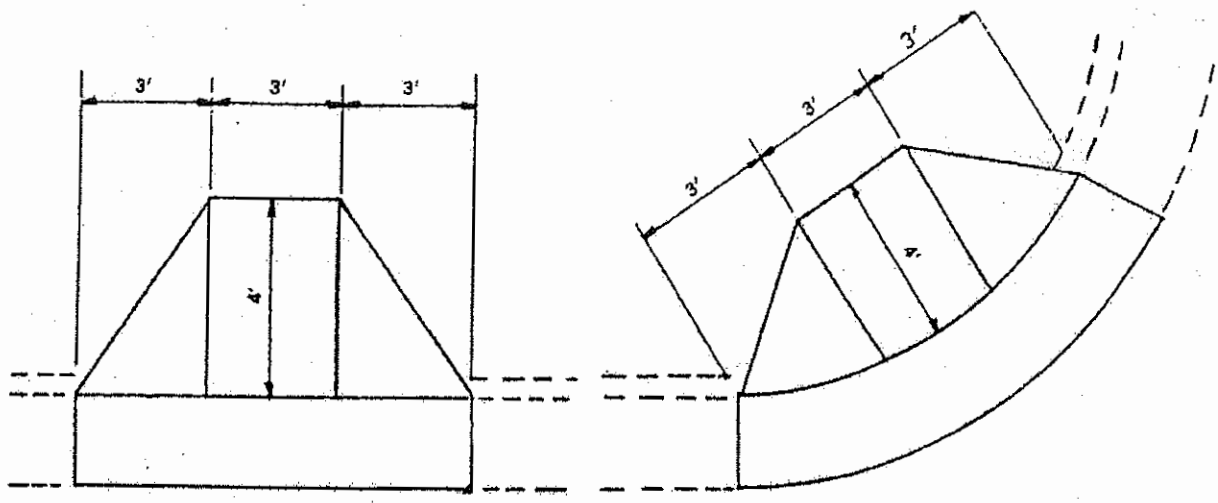


Traffic Island Curb

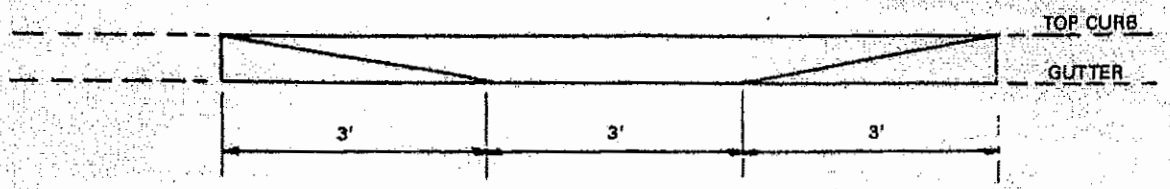


Standard Drawing No. 9
Standard Wheel Chair Ramp

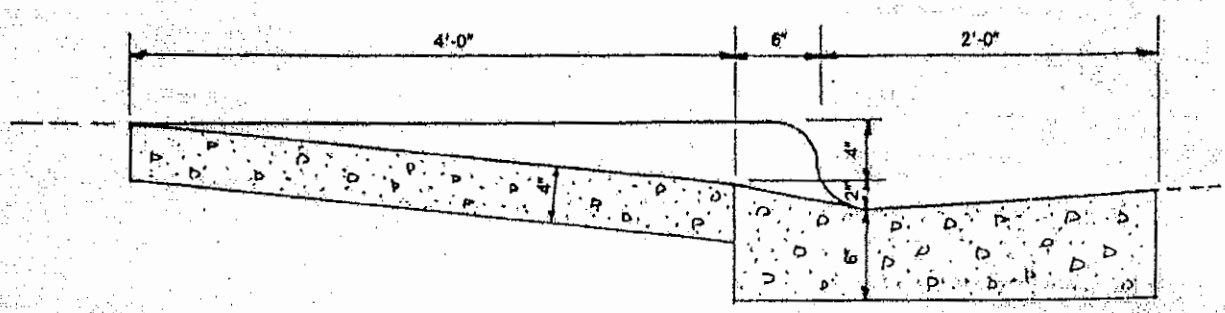
Plan



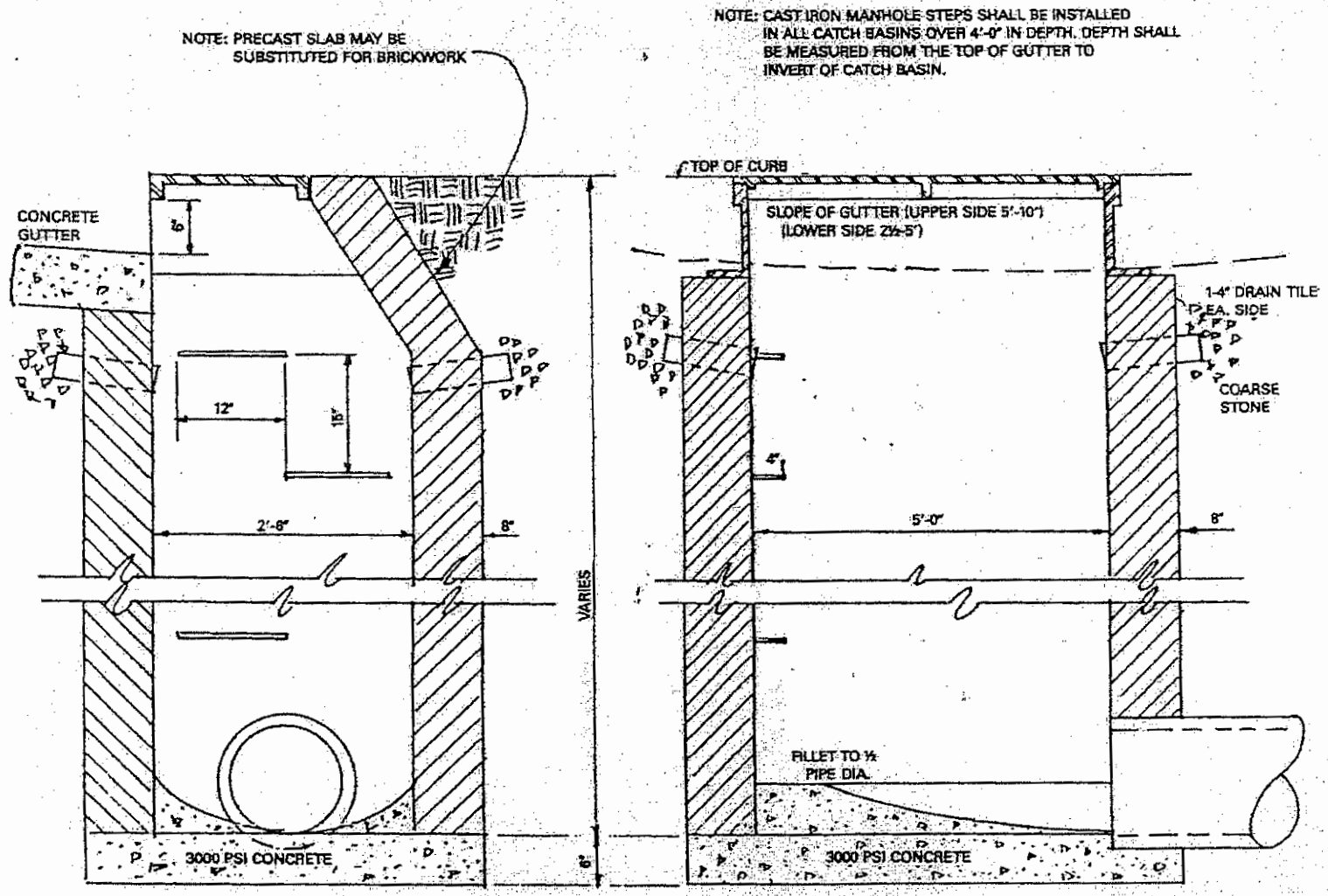
Front Elevation



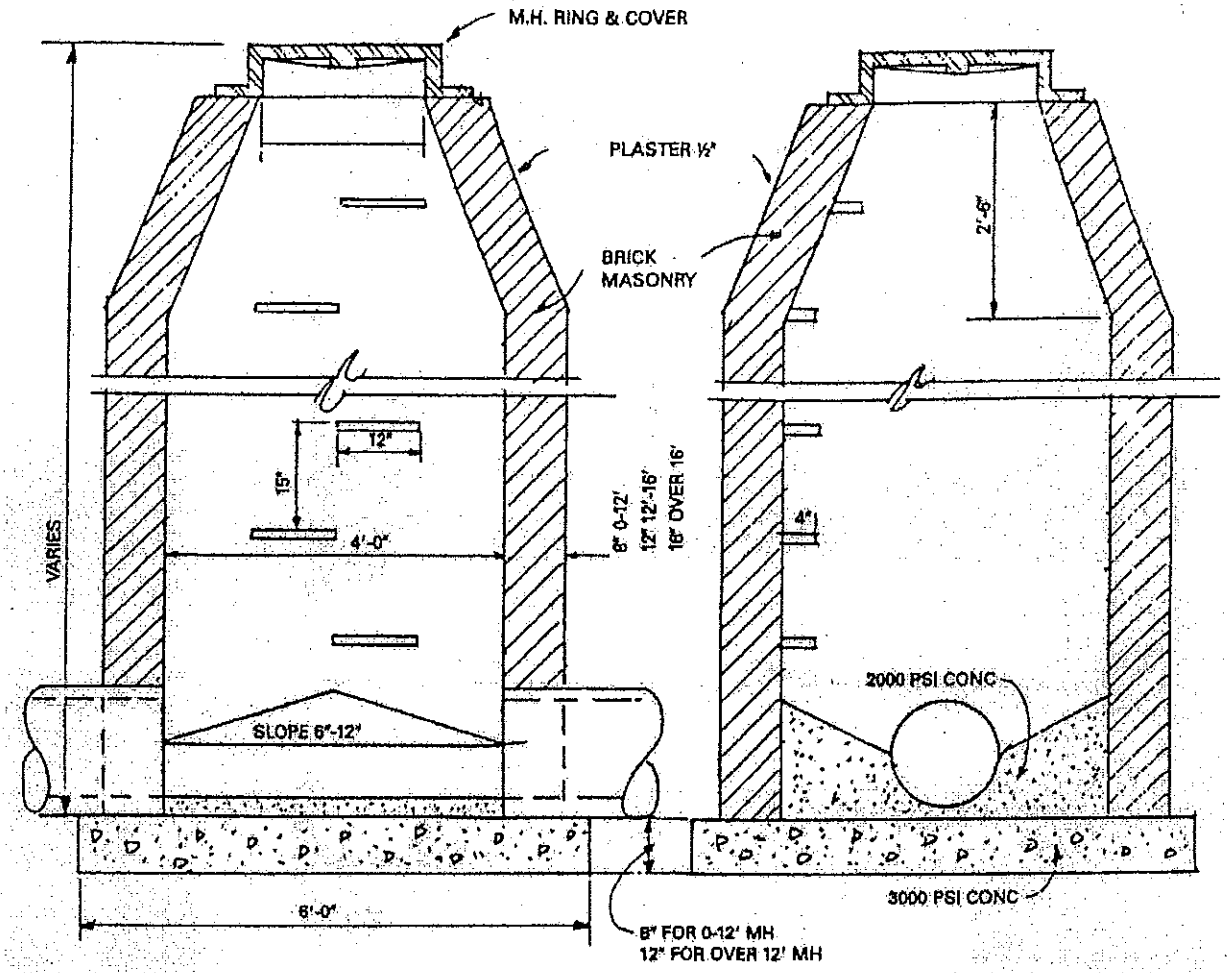
Section Thru Ramp

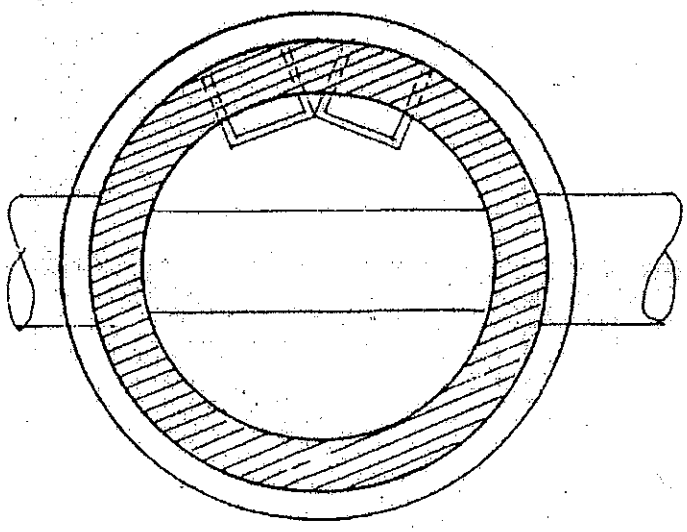


Standard Drawing No. 10
Standard Catch Basin

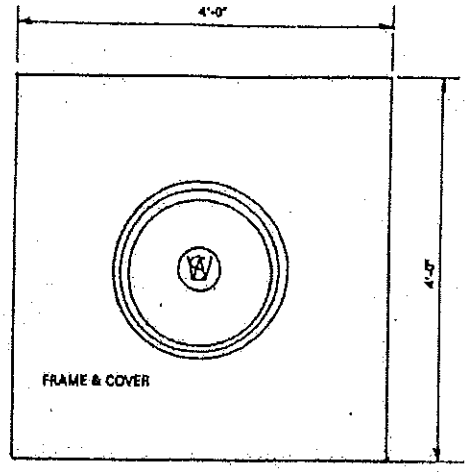


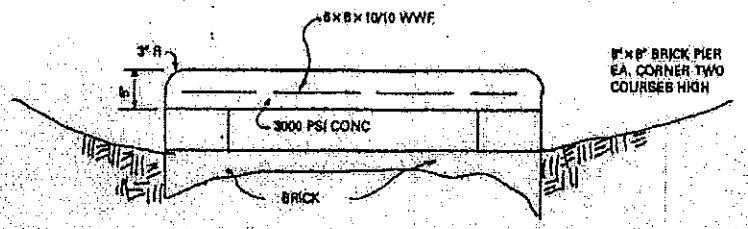
Standard Drawing No. 11
Storm Water Manhole



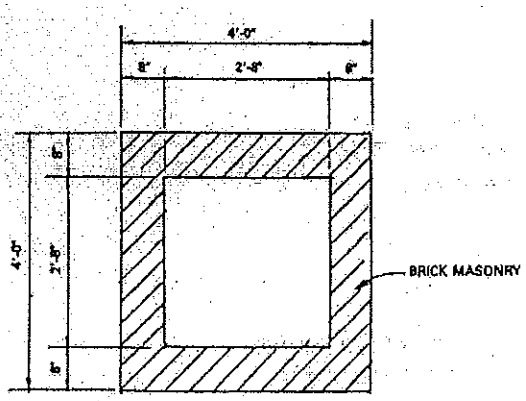


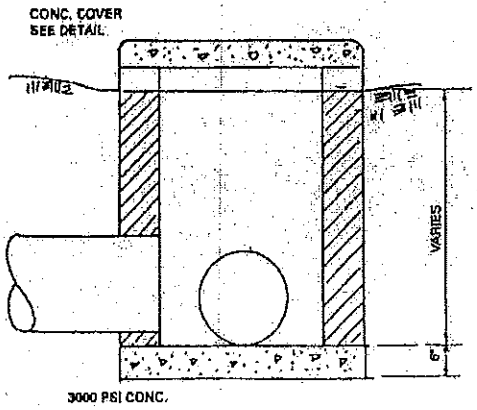
Standard Drawing No. 12
Yard Inlet Cover



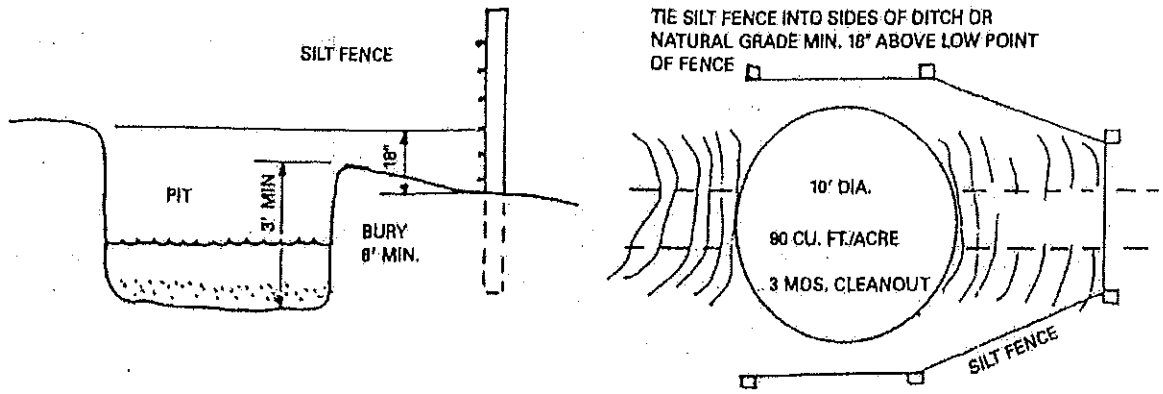


Standard Drawing No. 13
Yard Inlet

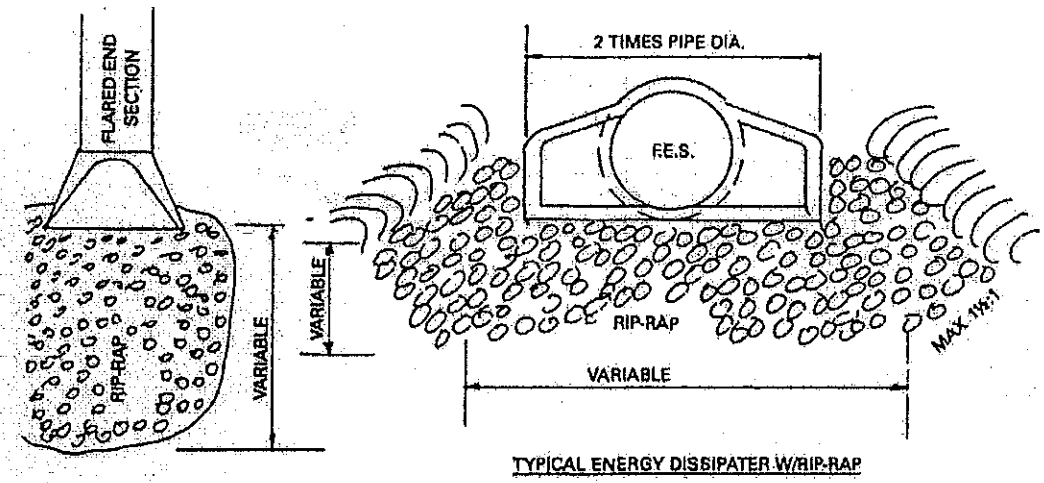




Standard Drawing No. 14
Sedimentation Control

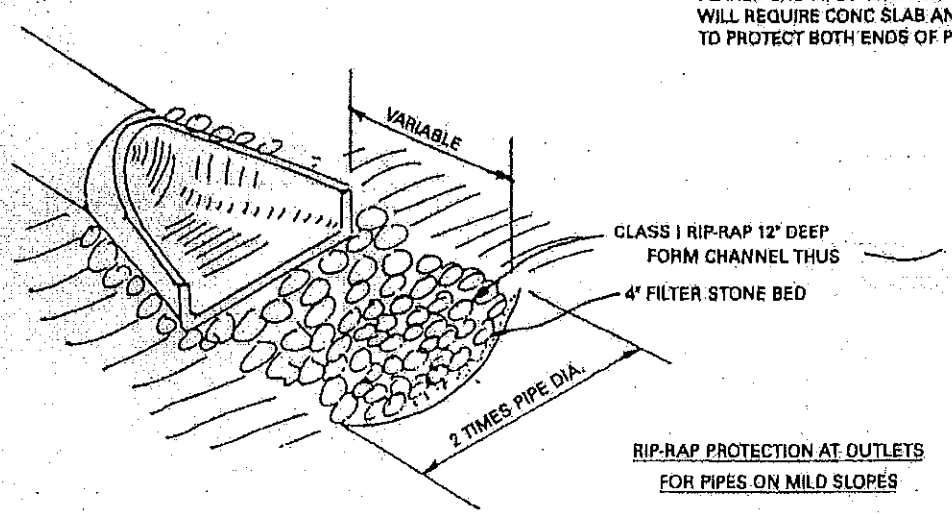


FENCE AND SEDIMENT PIT FOR POINTS OF CONCENTRATED DRAINAGE



TYPICAL ENERGY DISSIPATER W/RIP-RAP

NOTE:
FLARED END PIPES GREATER THAN 36"
WILL REQUIRE CONC SLAB AND/OR RIP-RAP
TO PROTECT BOTH ENDS OF PIPE



RIP-RAP PROTECTION AT OUTLETS
FOR PIPES ON MILD SLOPES

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 Planning Director.

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, son 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 that 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, of 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, roper, 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 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; and

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.

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 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.

AN ORDINANCE REVISING APPENDIX K OF THE UNIFIED LAND-USE CODES OF 2004 OF CAMDEN COUNTY, MISSOURI, BY AMENDING AND RESTATING APPENDIX K IN ITS ENTIRETY

WHEREAS, Camden County ("**County**") has established a comprehensive application and permit process for the placement, construction and modification of wireless communication facilities within the County ("**Permit Process**"); and

WHEREAS, the Permit Process was intended to minimize the impact of wireless communication facilities on the County and its citizens, to ensure a fair and efficient process for the review and approval of applications for such facilities, to assure a comprehensive review of the impacts of such facilities on the County and its citizens, and to protect the health, safety and welfare of the County and its citizens; and

WHEREAS, in 2014, the state of Missouri passed into law the Uniform Wireless Communications Infrastructure Deployment Act, §§ 67.5060 – 67.5103, RSMo ("**Act**"), which limits the County's authority to regulate wireless communications facilities within the County; and

WHEREAS, the Planning and Zoning Commission, in consultation with legal counsel, has drafted an amended and restated Appendix K of the Unified Land-Use Codes of 2004: "Wireless Telecommunications Facilities Siting Ordinance for Camden County" (the "**Amended and Restated Appendix K**") as set forth below to ensure that the Permit Process complies with applicable law, including the Federal Telecommunications Act of 1996, 47 U.S.C. § 332, the Middle Class Tax Relief and Job Creation Act of 2012, 47 U.S.C. § 1455(a), and the Act; and

WHEREAS, the Planning and Zoning Commission did hold a public hearing on September 16, 2015 to consider the Amended and Restated Appendix K concerning the Permit Process; and

WHEREAS, after hearing evidence from the citizens in attendance at the public hearing, the Planning and Zoning Commission deliberated on the Amended and Restated Appendix K and recommended that the County Commission approve said Amended and Restated Appendix K; and

NOW THEREFORE, be it ordained by the Commission of Camden County, Missouri as follows:

Section 1: There is hereby enacted into law an amendment and restatement of Appendix K of the Unified Land-Use Codes of 2004: "Wireless Telecommunications Facilities Siting Ordinance for Camden County", including an amendment/repeal of the existing Appendix K of the Unified Land-Use Codes of 2004: "Wireless Telecommunications Facilities Siting Ordinance for Camden County". Pursuant to this Amendment and Restatement of Appendix K of the Unified Land-Use Codes of 2004, Appendix K of the Unified Land-Use Codes of 2004 shall be amended in its entirety to hereinafter read as follows:

APPENDIX K: WIRELESS TELECOMMUNICATIONS FACILITIES SITING ORDINANCE FOR CAMDEN COUNTY

K-1: Purpose and Legislative Intent

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, protect the health, safety and welfare of the Camden County, Missouri, and comply with applicable law, including the Federal Telecommunications Act of 1996, the Middle Class Tax Relief and Job Creation Act of 2012, and the Missouri Uniform Wireless Communications Infrastructure Deployment Act.

K-2: Title

This Ordinance shall be known and cited as the Wireless Telecommunications Facilities Siting Ordinance of 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) "**Administrative Conditional Use Permit**" means the official document or permit as granted or issued by the County by which an Applicant is allowed to make a Co-location or Replacement upon existing Wireless Telecommunications Facilities.

3) "**Applicant**" means any Personal Wireless Services provider submitting an Application for a Conditional Use Permit for Wireless Telecommunications Facilities or an Administrative Conditional Use Permit for Co-location or Replacement.

4) "**Application**" means all necessary and appropriate documentation that an Applicant submits in order to receive a Conditional Use Permit for Wireless Telecommunications Facilities or an Administrative Conditional Use Permit for Co-location or Replacement.

5) "**Antenna**" means a system of electrical conductors that transmit or receive electromagnetic waves or radio frequency or other wireless signals.

6) "**Base Station**" means a station at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network, generally consisting of radio transceivers, antennas, coaxial cables, power supplies, and other associated electronics, and includes a structure that currently supports or houses an antenna, a transceiver, coaxial cables, power supplies or other associated equipment. The term does not encompass a Tower as defined below.

7) "**Co-location**" means the addition to an existing Tower or structure so long as such addition does not add: to height by more than the greater of (a) ten percent (10%) of the existing Tower or structure or (b) twenty (20) feet; or more width than the greater of (a) twenty feet from the edge of the Tower or structure or (2) the width of the structure (at the level of the appurtenance) for those Towers or structures outside of a right of way. Co-locations for those Towers or structures within a right of way or Base Stations are those modifications that do not add more than the greater of (a) ten percent (10%) of existing height to the Tower or structure, (b) ten (10) feet to the Tower or structure, or (c) increase the width of the Tower or structure by more than 6 feet from the edge of the Tower or structure. Co-location also means the addition of four (4) or less new cabinets to the Tower or structure.

8) "**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 "commercial impracticable" and shall not render an act or the terms of an agreement "commercially impracticable".

9) "**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.

10) "**Commission**" means the Planning & Zoning Commission of Camden County, Missouri.

11) "**Conditional Use Permit**" means the official document or permit as granted or issued by the County by which an Applicant is allowed to file for a construction permit to build and use or make a Substantial Modification of a Wireless Telecommunications Facilities.

12) "**FAA**" means the Federal Aviation Administration, or its duly designated and authorized successor agency.

13) "**FCC**" means the Federal Communications Commission, or its duly designated and authorized successor agency.

14) "**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.

15) "**NIER**" means Non-Ionizing Electromagnetic Radiation.

16) "**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.

17) "**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 and the FCC's Rules.

18) "**Repair and Maintenance**" Means the repair, replacement or modification of a Wireless Telecommunications Facility that is not a Substantial Modification.

19) "**Replacement**" Means constructing a new Wireless Telecommunications Facility of equal proportions and of equal height or such other height that would not constitute a Substantial Modification to an existing Wireless Telecommunications Facility in order to support wireless facilities or to accommodate Co-location and includes the associated removal of the preexisting Wireless Telecommunications Facilities.

20) "**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,

21) "**State**" means the State of Missouri.

22) "**Substantial Modification**" means the mounting of a proposed Wireless Telecommunications Facility on a Tower or structure which, as applied to the Tower or structure as it was originally constructed and modified as of February 17, 2012:

(a) Increases the existing vertical height of the Tower or structure by:

(i) More than ten percent; or

(ii) The height of one additional Antenna array with separation from the nearest existing Antenna not to exceed twenty feet, whichever is greater; or

(b) Involves adding an appurtenance to the body of a support structure that protrudes horizontally from the edge of the support structure more than twenty feet or more than the width of the support structure at the level of the appurtenance, whichever is greater (except where necessary to shelter the Antenna from inclement weather or to connect the Antenna to the Tower via cable); or

(c) Protrudes from the edge of an existing Wireless Telecommunications Facility in a right of way by:

(i) More than twenty feet; or

(ii) The width of the Wireless Telecommunications Facility at the level of the appurtenance, whichever is greater; or

(iii) protrudes from the edge of the structure more than six feet; or

(d) Involves adding an appurtenance to the body of a Tower or structure that protrudes horizontally from the edge of the Tower or structure more than twenty feet or more than the width of the Tower or structure at the level of the appurtenance, whichever is greater (except where necessary to shelter the Antenna from inclement weather or to connect the Antenna to the Tower via cable); or

(e) Entails any excavation or deployment outside the current dimensions of the site on which the Tower or Base Station is located; or

(f) Would defeat the existing Stealth, Stealth Technology or concealment elements of a Tower or Base Station; or

(g) Involves the installation of more than the standard number of new outdoor equipment cabinets for the technology involved, not to exceed four new equipment cabinets; or

(h) Increases the square footage of the existing equipment compound by more than one thousand two hundred fifty square feet.

(i) Does not comply with conditions associated with prior approval of the Tower or Base Station unless the non-compliance is due to an increase in height, increase in width, addition of cabinets, or new excavation that does not exceed the above listed thresholds.

23) "**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.

24) "**Telecommunication Site**" See definition for Wireless Telecommunications Facilities.

25) "**Telecommunications Structure**" means a structure used in the provision of services described in the definition of Wireless Telecommunications Facilities.

26) "**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.

27) "**Tower**" means any structure designed primarily to support an Antenna for receiving and/or transmitting a wireless signal.

28) "**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 Wireless Telecommunications Facility or a Substantial Modification of an existing Wireless Telecommunications Facility.

B) Requiring an Administrative Conditional Use Permit for any Co-location or Replacement of a Wireless Telecommunications Facility.

C) Implementing an Application process for person(s) seeking approval for an Administrative Conditional Use Permit for Co-location or Replacement or a Conditional Use Permit for any new Wireless Telecommunications Facility or Substantial Modification thereof.

D) Establishing a policy for examining an application for and issuing approval of an Administrative Conditional Use Permit for Co-location or Replacement or a Conditional Use Permit for any new Wireless Telecommunications Facility or Substantial Modification thereof that is both fair and consistent.

E) Promoting and encouraging, when provided herein, 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.

K-6: Permit for Wireless Telecommunications Facilities

A) A Conditional Use Permit shall be required for any new Wireless Telecommunications Facility or a Substantial Modification of an existing Wireless Telecommunications Facility. Notwithstanding anything to the contrary in this section, no Conditional Use Permit shall be required for those non-commercial exceptions noted in Section K-7.

B) An Administrative Conditional Use Permit shall be required for any Co-location or Replacement of a Wireless Telecommunications Facility.

C) All legally permitted Wireless Telecommunications Facilities, constructed as permitted, lawfully existing on or before the effective date of this Ordinance shall be allowed to continue as they presently exist, provided however, that any modification of an existing Wireless Telecommunications Facility will require compliance with this Ordinance.

D) Repair and Maintenance of a Wireless Telecommunications Facility shall not require an Application for a Conditional Use Permit or an Administrative Application for a Conditional Use Permit.

E) An Applicant shall comply with all applicable codes and ordinances and obtain any applicable permits from any governmental authority required for any and all Co-locations, Replacements, Substantial Modifications, or construction of any new Wireless Telecommunications Facility.

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) 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.

C) Facilities exclusively for private, non-commercial radio and television reception and private citizen's bands, licensed amateur radio and other similar non-commercial Telecommunications.

D) 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 an Administrative Conditional Use Permit or 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 after complying with the notice procedures of Sections K-14, K-15 and K-17.

C) Except as provided in Section K-6(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 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.

G) 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.

H) 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 Substantial Modification of existing Wireless Telecommunications Facilities shall contain the information hereinafter set forth.

1) The name, address and phone number of the person preparing the report;
2) 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;
3) The postal address and tax map parcel number of the property;
4) The Zoning District or designation in which the property is situated;
5) Size of the property stated both in square feet and lot line dimensions, and a survey showing the location of all lot lines;
6) The location of nearest residential structure;
7) The location, size and height of all existing and proposed structures on the property which is the subject of the Application;
8) The type, locations and dimensions of all proposed and existing landscaping, and fencing;
9) The azimuth, size and center-line height location of all proposed and existing Antennae on the supporting structure;
10) The number, type and model of the Antenna(s) proposed with a copy of the specification sheet;
11) The make, model, type and manufacturer of the Tower and design plan stating the Tower's capacity to accommodate multiple users
12) 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;
13) Signed documentation to verify that the proposed Wireless Telecommunications Facility will be in full compliance with the FCC's rules for radio frequency emissions under 47 CFR § 1.1307(b)(1) or other applicable federal law, as amended;
14) A copy of the FCC license applicable for the intended use of the Wireless Telecommunications Facilities;
15) 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.
16) 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.
17) The Applicant shall provide certification with documentation (structural analysis) including calculations that the Wireless Telecommunications Facility 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.

18) The Application shall contain a demonstration that the Wireless Telecommunications 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.

19) The Applicant shall furnish a Visual Impact Assessment, which shall include:

   a) 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.
   b) 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.
   c) 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.

20) 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.

21) 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 reasonably required by the County.

22) 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.

23) 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.

24) 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.
25) The Applicant shall submit documentation justifying the total height of any Tower, Facility and/or Antenna requested and the basis therefor.
26) The County may approve the proposed site if it 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.
27) The County may disapprove an Application for any of the following reasons.

a) Conflict with the historic nature or character of a neighborhood or historical district;
b) The use or construction of Wireless Telecommunications Facilities which is contrary to an already stated purpose of a specific zoning or land use designation;
c) 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;
d) Conflicts with the provisions of this Ordinance;
e) The placement and location of Wireless Telecommunication Facilities in conflict with the County Master Plan.

I) In the case of an Application for a new Wireless Telecommunications Facility:

1) The Applicant shall state in such Application that it conducted an analysis of available Co-location opportunities on existing Towers within the same search ring defined by the Applicant.
2) The Application shall include a copy of a lease, letter of authorization or other agreement from the property owner evidencing applicant's right to pursue the Application.

J) In the case of any Application for a new Wireless Telecommunications Facility, Substantial Modification, Replacement, or Co-location of a Wireless Telecommunications Facility:

1) The Application shall include a copy of a lease, letter of authorization or other agreement from the property owner evidencing applicant's right to pursue the Application.

2) Such Wireless Telecommunications Facility 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.

3) The Application shall provide signed documentation of the Tower condition such as an ANSI report as per Annex E, Tower Maintenance and Inspection Procedures, ANSUTIA/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.

4) 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.

5) Applicants are encouraged to schedule a pre-application meeting prior to the submission of an Application for Administrative Conditional Use Permit or a Conditional Use Permit. 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 may also include a site visit if there has not been a prior site visit for the requested site.

6) An Applicant shall submit to the County the number of completed Applications determined to be needed at the pre-application meeting, or, if there is no such meeting, such number as is requested by the County. 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.

K-9: 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-10: 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-11: Signage

Wireless Telecommunications Facilities shall contain a sign consistent with those required by OET Bulletin 65, entitled Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields, Edition 97-01, released August, 1997, and Supplement A: Additional Information for Radio and Television Broadcast Stations. 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-12: Retention of Expert Assistance and Reimbursement by Applicant

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.

K-13: 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 of the public hearing to all owners of real property within 1,000-feet of the boundary of the parcel that is the subject of the Application.

B) There shall be no Public Hearing required for an Application for Co-location or Replacement of an existing Wireless Telecommunications Facility or other structure or a modification at an existing site, as long as such modification is not a Substantial Modification and except as set forth in Section K-14(A)(2) and K-15(A)(2)-(3). 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.

K-14: Action on an Application for a Conditional Use Permit for Wireless Telecommunications Facilities

A) Upon receipt of an Application for a Conditional Use Permit for Wireless Telecommunications Facilities pursuant to this Appendix K, the County shall review such Application to determine whether the Application so qualifies. Within one hundred twenty (120) days of the date on which an Applicant submits an Application seeking approval of a Conditional Use Permit for Wireless Telecommunications Facilities, or within such additional time as may be mutually agreed to by an Applicant and the County, the County shall:

1) Review the Application in light of its conformity with this Appendix K. An Application is deemed to be complete unless the County notifies the Applicant in writing, within thirty (30) calendar days of submission of the Application, of the specific deficiencies in the Application which, if cured, would make the Application complete. Upon receipt of a timely written notice that an Application is deficient, an Applicant may take thirty (30) calendar days from receiving such notice to cure the specific deficiencies. Upon receipt of information from the Applicant to cure such deficiencies, the County shall have ten (10) calendar days to notify the Applicant of any additional deficiencies. If the Applicant cures the deficiencies within thirty (30) calendar days, the Application shall be reviewed and processed within one hundred twenty (120) calendar days from the initial date the Application was received. If the Applicant requires a period of time beyond thirty (30) calendar days to cure the specific deficiencies, the one hundred twenty (120) calendar days' deadline for review shall be extended by the same period of time;

2) 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 Conditional Use Permit shall always be upon the Applicant; and

3) Advise the applicant in writing of its final decision.

B) If the County fails to act on an Application seeking approval for a for a Conditional Use Permit for Wireless Telecommunications Facilities within the one hundred twenty (120) calendar days' review period specified under this section or within such additional time as may be mutually agreed to by an Applicant and the County, the Application shall be deemed approved.

C) 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 no more than 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.

D) 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-15: Action on an Application for a Conditional Use Permit for Substantial Modification of Wireless Telecommunications Facilities

A) Upon receipt of an Application for a Conditional Use Permit for a Substantial Modification of Wireless Telecommunications Facilities pursuant to this Appendix K, the County shall review such Application to determine whether the Application so qualifies. Within ninety (90) days of the date on which an Applicant submits an Application seeking approval, or within such additional time as may be mutually agreed to by an Applicant and the County, the County shall:

1) Review the Application in light of its conformity with this Appendix K. An Application is deemed to be complete unless the County notifies the Applicant in writing, within thirty (30) calendar days of submission of the Application, of the specific deficiencies in the Application which, if cured, would make the Application complete. Upon receipt of a timely written notice that an Application is deficient, an Applicant may take thirty (30) calendar days from receiving such notice to cure the specific deficiencies. Upon receipt of information from the Applicant to cure such deficiencies, the County shall have ten (10) calendar days to notify the Applicant of any additional deficiencies. If the Applicant cures the deficiencies within thirty (30) calendar days, the Application shall be reviewed and processed within ninety (90) calendar days from the initial date the Application was received. If the Applicant requires a period of time beyond thirty (30) calendar days to cure the specific deficiencies, the ninety (90) calendar days' deadline for review shall be extended by the same period of time;

2) Notwithstanding the foregoing, in the event that the Substantial Modification is to a certified historic structure as defined in RSMo. Section 253.545, within two hundred fifty feet of the boundary of a historic district, or the subject of a pending complaint alleging adverse effect on historic properties, in addition to the applicable time periods set forth above, there shall be a thirty day time period before approval of the Application. During such time period, the County shall hold one or more public hearings on the Substantial Modification to a certified historic structure.

3) 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 Conditional Use Permit shall always be upon the Applicant; and

4) Advise the applicant in writing of its final decision.

B) If the County fails to act on an Application seeking approval for a Conditional Use Permit for Substantial Modification of Wireless Telecommunications Facilities within the one hundred twenty (120) calendar days' review period specified in the Act, Section

67.5098, RSMo, or within such additional time as may be mutually agreed to by an Applicant and the County, the Application shall be deemed approved.

C) If the County approves the Conditional Use Permit for Substantial Modification of Wireless Telecommunications Facilities, 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 no more than 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.

D) If the County denies the Conditional Use Permit for Substantial Modification of 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-16: 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 (except to an entity controlling, controlled by or under common control with the Conditional Use Permit holder) 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.

K-17: Action on an Application for an Administrative Conditional Use Permit for Co-location or Replacement

An Applicant shall submit an Application for an Administrative Conditional Use Permit for Co-location or Replacement of any Wireless Telecommunication Facility.

A) Upon receipt of such Application for an Administrative Conditional Use Permit for Co-location or Replacement the County shall review such Application to determine whether the Application so qualifies. Such Application shall be reviewed for conformance with applicable building permit requirements, National Electric Safety Codes, and recognized industry standards for structural safety, capacity, reliability, and engineering, but shall not otherwise be subject to zoning or land use requirements, including design or placement requirements, or public hearing review.

B) Within forty five (45) days of the date on which an Applicant submits an Application seeking for an Administrative Conditional Use Permit for Co-location or Replacement, the County shall:

1) Review such Application and such Application is deemed to be complete unless the County notifies the Applicant in writing, within fifteen (15) calendar days of submission of the Application, of the specific deficiencies in the Application which, if cured, would make the application complete. Upon receipt of a timely written notice that an Application seeking for an Administrative Conditional Use Permit for Co-location or Replacement is deficient, an Applicant may take fifteen (15) calendar days from receiving such notice to cure the specific deficiencies. Upon receipt of information from the Applicant to cure such deficiencies, the County shall have ten (10) calendar days to notify the Applicant of any additional deficiencies. If the Applicant cures the deficiencies within fifteen (15) calendar days, the Application seeking for an Administrative Conditional Use Permit for Co-location or Replacement shall be reviewed and processed within forty five (45) calendar days from the initial date the Application was received. If the Applicant requires a period of time beyond fifteen calendar days to cure the specific deficiencies, the forty five calendar days' deadline for review shall be extended by the same period of time;

2) Notwithstanding the foregoing, in the event that a Co-location is to a certified historic structure as defined in RSMo. Section 253.545, within two hundred fifty feet of the boundary of a historic district, or the subject of a pending complaint alleging adverse effect on historic properties, in addition to the applicable time periods set forth above, there shall be a thirty day time period before approval of an Application for Administrative Conditional Use Permit. During such time period, the County shall hold one or more public hearings on Co-location to a certified historic structure.

3) Make its final decision to approve or disapprove the Application seeking for an Administrative Conditional Use Permit for Co-location or Replacement; and

4) Advise the Applicant in writing of its final decision.

C) If the County fails to act on an Application seeking for an Administrative Conditional Use Permit for Co-location or Replacement within the forty five calendar (45) days' review period specified under this Section, or within such additional time as may be mutually agreed to by an Applicant and the County, the Application seeking for an Administrative Conditional Use Permit for Co-location or Replacement shall be deemed approved. The deemed grant does not become effective until the Applicant notifies the County in writing after the review period has expired that the Application has been deemed granted.

K-18: Application Fee

At the time that a Person submits an Application for a Conditional Use Permit for a new Tower or Substantial Modification, such Person shall pay a non-refundable application fee of $1,500.00 to the County. If the Application is for an Administrative Conditional Use Permit for Co-

locating on an existing Tower or other suitable structure, the non-refundable fee shall be $500.00.

K-19: 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-20: 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-21: 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 set forth in Section K-20 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-22: 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.

G) Notwithstanding anything in this Section to the contrary, removal of a Tower shall not be a condition to the approval of an Application for a Conditional Use Permit or an Application for an Administrative Conditional Use Permit.

K-23: 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.

K-24: Conflict with Other Laws

In the event this Ordinance conflicts with any other law, rule, or regulation, unless this Ordinance is preempted by such other law, rule or regulation this Ordinance shall apply. In the event this Ordinance conflicts with any other law, rule or regulation that preempts this Ordinance, such preemptive law, rule or regulation shall prevail.

K-25: Effective Date

This Ordinance shall be effective immediately upon passage, pursuant to applicable legal and procedural requirements.

K-26: Authority

This County Ordinance is enacted pursuant to applicable authority granted by the State of Missouri and the federal government.

Section 2. REPEAL. That all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 3. EFFECTIVE DATE. That this Ordinance shall be in full force and effect as of October 15, 2015.

Section 3. EFFECTIVE DATE. That this Ordinance shall be in full force and effect as of October 15th 2015.

ROWLAND A. TODD SEAL CLERK COUNTY COMMISSION CAMDEN COUNTY MISSOURI

(Seal)

Attest: _____
Rowland Todd, County Clerk

Approved as to Form:

_____
, County Attorney

CAMDEN COUNTY, MISSOURI

By: _____
Greg Hasty, Presiding Commissioner

By: _____
Beverly Thomas, 1st District Commissioner

By: _____
Cliff Luber, 2nd District Commissioner

SLC-7613787-4

CAMDEN COUNTY, MISSOURI

(Seal)

By: _____
Greg Hasty, Presiding Commissioner

Attest: _____
Rowland Todd, County Clerk

By: _____
Beverly Thomas, 1st District Commissioner

Approved as to Form:

Craig S. Biesterfeld

By: _____
Cliff Luber, 2nd District Commissioner

Craig S. Biesterfeld, Special County Attorney

SLC-7613787-4

County of **CAMDEN** State of Missouri

1 Court Circle, Suite 1
Camdenton, Missouri 65020

Office of the
CAMDEN COUNTY COMMISSION

Presiding Commissioner
Carolyn Loraine

1st District Commissioner
Steve West

Commission Clerk
Rowland Todd

2nd District Commissioner
Thom Gumm

IN THE MATTER OF ADOPTION OF THE CAMDEN COUNTY UNIFIED LAND-USE CODE OF 2004

WHEREAS the Camden County Commission recognizes the need to establish appropriate rules for the purpose of regulating land-use and land development In those portions of the county that are experiencing rapid growth, and

WHEREAS the authority to create zoning and subdivision regulations within the identified Lake District zoning area was approved by a vote of the affected county citizens in 1997, and

WHEREAS the current version of the Unified Land-Use Codes was created through the efforts of a consultant retained for that purpose and its review by legal consultants, county staff, Planning Commission, and citizens, and

WHEREAS to promote and protect public health, safety, morals, and/or general welfare, to give effect to the policies of the County Master Plan, and to conserve the value of land and structures within the lake district,

THEREFORE the Camden County Commission does adopt the Unified Land-Use Codes of 2004 with an effective date of June 1st, 2004.

Carolyn L. Loraine
Presiding Commissioner
Carolyn Loraine

1st District Commissioner
Steve West

Thom Gumm
2nd District Commissioner
Thom Gumm

PHONE (573) 346-4440 X-207 FAX (573) 346-5181

County of CAMDEN State of Missouri

1 Court Circle, Suite 1
Camdenton, Missouri 65020

Office of the
CAMDEN COUNTY COMMISSION

Presiding Commissioner
Carolyn Loraine

Commission Clerk
Rowland Todd

1st District Commissioner
Steve West

2nd District Commissioner
Thom Gumm

May 20, 2004

Let The Record Reflect:

Having reviewed all of the proposed changes with Chris Hall, our Planning Administrator, the County Commission and Jim Dickerson, chairman of the Planning & Zoning Commission, I am in agreement with the Unified Land-Use codes developed for Camden County.

Since I will be out of the country from May 21, 2004 to June 3, 2004, I would like to have the record reflect that I am in support of the adoption of the Unified Land-Use codes for planning & zoning.

Steve West

Steve West
1st District Commissioner

PHONE (573) 346-4440 X-207 FAX (573) 346-5181

CAMDEN COUNTY
PLANNING & ZONING COMMISSION

BYLAWS

Article I: NAME

These Bylaws shall represent the special rules and procedures adopted by the Camden County Planning and Zoning Commission hereafter called the Planning Commission.

Article II: Legal Authority

The Planning Commission created pursuant to law, including but not limited to Sections 64.005, 64.007, and 64.510 through 64.695 and the Camden County Unified Land-Use Codes of 2004, incorporated herein by reference as if fully set forth herein.

Article III: Purpose

This section may be developed at a later date.

Article IV: Membership

Refer to The Unified Land-Use Codes

Article V: Compensation

This section may be developed at a later date.

Article VI: Officers

The Planning Commission shall, at its regular monthly meeting in March, elect by majority of the members present its own Chairperson and Vice-Chairperson who shall serve for one year, or until their replacements are elected. In the event that an officer leaves the Planning Commission an immediate replacement shall be elected to fulfill the unexpired term.

Article VII: Administration

This section may be developed at a later date.

Article VIII: Advisory Personnel

This section may be developed at a later date.

Article IX: Hearing Procedures

A. Robert's Rules of Order will be generally used by the Planning Commission except as otherwise provided by these Bylaws, the Camden County Unified Land-Use Codes of 2004, or State Statute.
B. The Planning Commission will hold regular monthly meetings provided there is business to come before it. The date and time of these meetings shall be established each year at the last (December) regularly scheduled meeting. Unless affected by holidays or an unforeseen event the general date and time for the regularly scheduled meeting is 5:30 PM on the 3rd Wednesday of each month.
C. At the beginning of each regular hearing will be read a procedural statement establishing the mandatory exhibits and explaining how the hearing will be conducted as well as including other such topics as determined by the Planning Commission.
D. In any event a quorum of the Planning Commission shall consist of six (6) members. A quorum being present constitutes a meeting of the Planning Commission, which requires notice to be posted in an appropriate manner and shall be considered an open hearing, except meetings permitted by law to be closed.
E. The Chairperson of the Planning Commission may establish such rules of procedure as are deemed necessary to facilitate the progress of a hearing and to that end may limit or restrict discussion or debate.
F. A summarized version of the hearing procedures as established in Appendix A shall be read at each regular meeting of the Planning Commission.

Article X: Voting Procedures

A. Prior to a vote being taken on any issue any member choosing to abstain or recuse from the vote must clearly state that fact.
B. All votes by the Planning Commission shall be conducted by roll call vote.
C. The motion for all votes shall automatically be considered in the affirmative with any modifications or conditions on the affirmative vote to be made a part of the motion prior to voting. The motion will begin from the chair.
D. A vote results in an approval if a majority of those voting render an affirmative vote. In the event of a tie vote, the vote shall be determined to be a denial of the request in accordance with Section 302 Item 2 of the Unified Land-Use Codes.
E. Re-examination - is a process whereby the Planning Commission can re-visit a vote for denial that occurred at the previous months regular voting session. This process should be conducted in the following manner:
    a. Any Planning Commission member that was part of the prevailing vote (denial) may bring to the attention of the Chairman that based on new information they would like to make a motion to re-examine a denial vote taken at the previous months hearing.

b. The Chairman will bring the matter to the attention of the entire Planning Commission at the end of business prior to any discussion items.
c. The member must then make a motion to re-examine the vote, which must be seconded (by any member) and passed by a majority vote.
d. On an affirmative vote the case is considered re-opened for commission discussion (not public comment) and the Chairman will call for discussion and any member of the Commission may request information from anyone.
e. After discussion and comments a member of the prevailing (denial) vote can make an affirmative motion with appropriate modifications.

Article XI: Conflict of Interest Guidelines

The Planning Commission members should continuously strive to achieve high standards of integrity and professionalism so that public respect for the planning process in Camden County will be established and maintained. To that end the members should:

A. Exercise fair, honest and independent judgment in their roles as decision makers,
B. Make public disclosure of all "personal interests" they may have regarding any issue brought before them requiring a decision.
C. Define "Personal Interest" broadly to include any actual or potential benefits or advantages they, a spouse, family member or person living in their household may directly or indirectly obtain from a planning decision.
D. Abstain completely from direct or indirect participation as a decision maker in any matter in which the member has a personal interest and leave the chamber in which such a matter is under deliberation, unless their personal interest has been made a matter of public record and the Planning Commission has authorized (being a majority vote of those members present) the members participation.
E. Not use confidential information acquired in the course of their duties to further a personal interest.
F. Not disclose confidential information acquired in the course of their duties except as required by law.
G. Not misrepresent facts or distort information for the purpose of achieving a desired outcome.

Article XII: Committees

Review Committee – While all members of the Planning Commission are encouraged to visit the site of all Public Hearing case locations, especially those within the political township they represent, an informal group of members who get together each month to visit the sites shall be called the Review Committee. If as many as six (6) members are expected to attend such a site review session it shall be considered a meeting of the Planning

Commission and must be posted as such as required by law. The date and time of such Site Reviews will be set each month as appropriate considering scheduling conflicts. Any Planning Commission member is welcome and encouraged to attend.

Long Range Planning – Periodically efforts to bring current part or all of the Camden County Master plan will necessitate the creation of one or more committees. Such a committee will operate for a specific time period on a specific issue or topic. A Long Range Planning Committee may include up to five (5) Planning Commissioners and as many citizen appointees as appropriate.

Article XIII: Applications and Submittals

This section may be developed at a later date.

Article XIV: Amendments

These rules and procedures may be amended, rescinded, supplemented, or repealed at any time by a concurring vote of a quorum of the membership (six members).

The current form of these bylaws has been adopted on October 19, 2005.

Jim Dickerson, Chairman	Roger Cromer
Bruce Barton, Vice Chair	Tim Hargus
Aaron Folks	Bryant Burton
Gary Blackwell	Ralph Franklin
Hal Anway	Carl Tidgren
Gary Webster, Highway Administrator	

Camden County Commission
Record of Decision

March 20, 2008

In the matter of modifying the Unified Land-Use Codes of 2004 in response to a review of regulating Telecommunication Facilities by the Planning & Zoning Commission

Comment: The following is a change that adds a new Appendix to the Codes dealing with Telecommunication Facilities. Additionally a modification to Section 801 #4 is made that ties the Appendix into the code framework.

Whereas, the Camden County Planning & Zoning Commission during their review of the codes decided to address this topic during the winter of 2007 / 2008, and

Whereas, the results of the review were read into the record at the December 2007 regular meeting of the Planning & Zoning Commission, and

Whereas, the Planning Commission did hold public hearings on January 16, and February 20, 2008 to hear comments on the proposed modifications to the codes and after taking comments and with a unanimous approval recommended to the County Commission to approve the changes, and

Whereas, the Camden County Commission did meet on March 20, 2008 and with a unanimous vote did approved the following modifications to the Codes:

- Modification of Section 801, Item #4, Telecommunications
  <u>Remove the current section:</u>
  Federal law allows for the placement of telecommunications facilities regardless of local zoning districts, but in accordance with any required permit procedures.
  a. Replacement Facilities – The replacement of any antenna, equipment structure, or tower may be accomplished upon receipt of a Construction Permit based on the following:
     i. The replacement facility is essentially of a size and nature as to not constitute an enlargement of the facility to be replaced.
     ii. All appropriate permits have been acquired to safeguard the airspace of established airports or planned airport expansions.
  b. New Antenna and Equipment Facilities – The installation of new facilities on existing towers or other structures (buildings or structures) may be accomplished upon receipt of a Special-Use Permit based on the following:
     i. The new antenna or equipment facility is required based on a service need as established by engineering that is provided by the applicant.
     ii. All appropriate permits have been acquired to safeguard the airspace of established airports or planned airport expansions.

c. New or taller Tower Facilities – The installation of any new telecommunications tower or the replacement of an existing tower that is taller requires a Condition-Use Permit.

And replace with:

Federal law allows for the placement of telecommunications facilities regardless of local zoning districts, but in accordance with any required permit procedures. For the ordinances detailing the requirements on Telecommunication facilities refer to Appendix K: Wireless Telecommunications Facilities Siting Ordinance for Camden County

- Add Appendix K – Regulating Location of Telecommunication Facilities (See the Regulations for a copy as the 22 page length precludes inclusion here)

Therefore, these modifications to the Unified Land-Use Codes of 2004 shall become effective on March 20, 2008.

(Original Document is Signed)

Robert C. Hall, Planning Administrator
Camden County Planning

Camden County Commission
Record of Decision

June 19, 2008

In the matter of modifying the Unified Land-Use Codes of 2004 in response to a review of Conditional Use Permit procedure and the regulation of self-storage facilities by the Planning & Zoning Commission

Comment: The following is a change that modifies the Conditional Use Permit procedure from Section 408 of the Unified Land-Use Codes and modifies the provisions dealing with Self-Storage facilities in the B-1 and B-2 zoning districts

Whereas, the Camden County Planning & Zoning Commission during their review of this issue decided to address this topic during the spring of 2008, and

Whereas, the results of the review were read into the record at the April 2008 regular meeting of the Planning & Zoning Commission, and

Whereas, the Planning Commission did hold public hearings on April 16, and May 21, 2008 to hear comments on the proposed modifications to the codes and after taking comments and with a unanimous approval recommended to the County Commission to approve the changes, and

Whereas, the Camden County Commission did meet on June 19, 2008 and with a unanimous vote did approved the following modifications to the Codes: (other provisions that were also under review were tabled for further discussion)

Section 408 – Conditional Use Permits
Remove the current Item #4

Replace Item #4 with the following:

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:

   (the following are used as guidelines for the Planning Commission to interpret and use as appropriate and are not considered to be comprehensive as it is possible that other issues can and will be considered by the Planning Commission)

   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 the submission of a Traffic Impact Study to provide guidance on these issues.

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 of 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. 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.

e. Will not be in general conformity with the Master Plan or any other plan adopted by the County Commission.

Section 812 – B-1: Office / Low Impact Commercial
Add the following to Item #4 Conditional Use Permits:

g. Self-Storage Facility (indoor storage)

Section 813 – B-2: General Commercial
Remove Item #4. d. Self-Storage Facilities

Add Item #2 o. Self-Storage Facilities

Therefore, these modifications to the Unified Land-Use Codes of 2004 shall become effective on July 1, 2008 (as established by the County Commission).

(Original Document is Signed)

Robert C. Hall, Planning Administrator
Camden County Planning

Camden County Commission
Record of Decision

June 22, 2006

In the matter of modifying the Unified Land-Use Codes of 2004 in response to a review of requested modifications by the Planning & Zoning Commission from a group called the Citizens for Fair Planning & Zoning

Case Number: **05-515**

Applicant: Citizens for Fair Planning & Zoning

Request: Request to Amend the Unified Land-Use Codes of 2004 under the provisions of Article 1400.

Amendments: Sections 419 (1-D, 2, 3 & 5), 808 (3 & 5), 1001 (2), 1007 (2, 3, 4), 1008 (3, 4, 6), 1011 (2, 3, 5, 6)

Comment: The following is a compilation of the actual changes made to the ULC as a result of this case and not a listing of the requested changes. For details concerning the motions and the votes taken thereof, refer to the minutes of the hearings.

Whereas the Planning Commission did hold a public hearing at their regularly scheduled meeting on October 19, 2005 to accept all information from the applicant and planning staff, and

Whereas the Planning & Zoning Commission did continue this case for further discussion and review due to the complicated nature of the request in November 2005, December 2005, January 2006, and February 2006, and

Whereas the Planning & Zoning Commission did meet on March 15, 2006 at their regularly scheduled meeting to review this request as an Old Business item where a number of motions were made that either approved, denied, or modified the requested modifications to the Unified Land-Use Codes of 2004, and

Whereas the County Commission did meet on April 20, 2006 to review the motions and did vote to return the case to the Planning & Zoning Commission to ensure that all public hearing procedure requirements were met, and

Whereas the Planning & Zoning Commission did meet on May 17, 2006 at their regularly scheduled meeting where the motions were again reviewed in public hearing and then moved to Old Business where the same motions were made that either approved, denied, or modified the requested modifications to the Unified Land-Use Codes of 2004, and

Whereas the County Commission did meet on June 22, 2006 to review the motions and did vote to uphold all motions sent to them from the Planning Commission with one exception resulting in the following changes to the Unified Land-Use Codes that officially become effective on July 1, 2006:

Page 69: Section 808, 3h (change)

Old - h. Private swimming pools and recreational facilities (basketball or tennis courts) when such facilities are not located in a front or side yard area.

New - h. 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.

Page 70 – Section 808, 3k (add new)

k. 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:

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.
vii. An Accessory Lot must be associated with a specific Residential Lot where a primary land-use is allowed although no restriction is placed on ownership of the accessory lot.

Page 70 – Section 808, 4j (add new)

j. Lake Development Project: For one or two family residential developments that due primarily to such physical parameters as topography, shoreline configuration, soil & rock conditions, etc. and where the project acreage is not large enough to classify as a Planned Unit Development (PUD), the Planning Commission may issue a Conditional Use Permit that will allow carefully designed projects with the following flexible provisions:

i. Minimum Lot size can be reduced up to 7,500 square feet for individual lots although the over-all density of the development cannot exceed four (4) dwelling units per acre.
ii. Modifications to the required road standards may be approved.
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 (or Rear if 2nd tier) = 25 feet

The following conditions shall be required in addition to any other conditions the Planning & Zoning Commission deem appropriate:

i. All Lake Front Developments shall be served by a centralized waste water system approved by the appropriate entity.
ii. All Lake Front Developments shall be served by a centralized water system approved by the appropriate entity.
iii. No setback Variances shall be considered for any lot created through a Lake Front Development Conditional Use Permit.
iv. As part of the approval process the developer must demonstrate that each and every lot created by the CUP will be buildable by providing a Project Plan that has building footprints located on the proposed lots.

Page 70 – Section 808, 5a (change)

Old - a. All tracts and lots of property created after the effective date of these regulations shall have a minimum road frontage dimension of seventy (70) feet. (On cul-de-sacs and curves this is measured at the setback line).

New - a. All tracts and lots of property, excluding those for utility facilities and Accessory Use lots, created after the effective date of these regulations 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 cannot be reduced below 25-feet in this manner.

Page 70 – Section 808, 5b (change)

Old - b. All tracts and lots of property created after the effective date of these regulations shall have a minimum area of three (3) acres. Residential lots in this zoning classification shall be allowed a minimum area of 10,000 square feet if served by a DNR approved central potable water and wastewater system.

New - b. All tracts and lots of property created after the effective date of these regulations shall have a minimum area of three (3) acres. Residential lots in this zoning classification shall be allowed a minimum area of 8,500 square feet if served by a DNR approved central potable water and wastewater system.

Page 94, Section 1001, 2b (change)

Old - b. **Local** - A street whose sole function is to provide access to

abutting properties. It serves or is designed to serve at least 7 but no more than 15 dwelling units and is expected to or does handle between 75 and 150 trips per day.

New - b. **Local** - A street whose sole function is to provide access to abutting properties. It serves or is designed to serve at least 7 but no more than 30 dwelling units and is expected to or does handle between 75 and 300 trips per day.

Page 96 – 98, Sections 1006 & 1007 (change)
Old -

SECTION 1006 - RELATIONSHIP OF STREETS TO TOPOGRAPHY

1. Streets shall be related appropriately to the topography. In particular streets designed to facilitate the drainage and storm water runoff objectives of Article 1200, and street grades shall conform as closely as practicable to the original topography.

2. As indicated in Section 1006, the maximum grade at any point on a street constructed without curb and gutter shall be 10 percent. On streets constructed with curb and gutter the grade shall not exceed 12 percent unless no other practicable alternative is available and in no case shall a street grade exceed 15 percent. However, in no case may streets be constructed with grades that, in the professional opinion of the County Highway Engineer, create a substantial danger to public safety.

SECTION 1007 - STREET WIDTH, SIDEWALK, & DRAINAGE REQUIREMENTS

1. Street rights-of-way are designed and developed to serve several functions:

   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 is Subsection (2) or (3).

2. The following classification of streets may be constructed with six-foot-wide shoulders and drainage swales (ditches) on either side in lieu of curb and gutter, so long as the street grade does not exceed 10 percent. Such streets shall be constructed to meet the criteria indicated in the table that follows as well as the specifications referenced in Subsection 1009. No sidewalks shall be required.

Street Type	Minimum Right-of-Way Width	Minimum Pavement Width
Minor Street	**40 feet**	**20 feet**
Local Street	**45 feet**	**20 feet**

3. Except as otherwise provided in Subsection (2), all streets shall be constructed with curb and gutter and shall conform to the other requirements of this subsection. Only standard 90-degree curb may be used, except that roll-type curb shall be permitted along minor and local streets within residential subdivisions. Street pavement width shall be measured from curb face to curb face where 90-degree curb is used, and from the center of the curb where roll-type curb is used.

Street Type	Minimum ROW Width	Minimum Pavement Width	Sidewalk
Minor Street	**40**	**20**	**None**
Local Street	**45**	**22**	**One Side**
Collector Street	**50**	**26**	**One Side**
Arterial Street	**60**	**30**	**Varies**
Commercial	**60**	**36**	**Two Sides**

4. The sidewalk required by this section shall be at least four (4) 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.

5. The requirements for sidewalks as referenced in Subsections (3) & (4) are not required in single-family residential developments that have average lot sizes greater than one (1) acre in area and in two-family residential developments that have average lot sizes greater than one and one-half (1 ½) acres in area. Multi-family and commercial developments shall provide sidewalks.

6. 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.

7. 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 meet the construction standards from Subsections (3) & (4).

New -

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 1200 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 guard rails shall be 12 percent. On streets constructed with guard rails 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. Guard Rails 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 run-off 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 guard rails 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 guard rails shall be equipped with MODOT approved crash worthy end sections as required for the speed of the traveling public at the terminus of the rail. The road face of the guard rail 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 in either Subsection (2) or (3).

2. In residential developments that have average lot sizes of two (2) acres or larger or in non-residential developments that have average lot sizes of three (3) acres or larger, the following classification of streets may be constructed without sidewalks and with six-foot-wide shoulders and drainage swales (ditches) on either side in lieu of curb and gutter, so long as the street grade meets the standards of Section 1006. Such streets shall be constructed to meet the criteria indicated in the table that follows, as well as the specifications referenced in Subsection 1009.

Street Type	Minimum Right-of-Way Width	Minimum Pavement Width
Minor Street	**40 feet**	**20 feet**
Local Street	**45 feet**	**20 feet**

3. In residential developments that have average lot sizes of less than or equal to two (2) acres or in non-residential developments that have average lot sizes of less than or equal to three (3) acres and except as otherwise provided in Subsection (2), all streets shall be constructed with curb and gutter and shall conform to the other requirements of this subsection. Only standard 90-degree curb may be used, except that roll-type curb shall be permitted along minor and local streets within residential subdivisions. Street pavement width shall be measured from curb face to curb face where 90-degree curb is used, and from the center of the curb where roll-type curb is used.

Street Type	Minimum ROW Width	Minimum Pavement Width	Sidewalk
Minor Street	**40**	**20**	**None**
Local Street	**45**	**22**	**None**
Collector Street	**50**	**26**	**One Side**
Arterial Street	**60**	**30**	**Varies**
Commercial	**60**	**36**	**Two Sides**

4. The sidewalks required by this section shall be at least four (4) 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.

5. The requirements for sidewalks as referenced in Subsections (3) & (4) are not required in single-family residential developments that have average lot sizes greater than one (1) acre in area and in two-family residential developments that have average lot sizes greater than one and one-half (1 ½) acres in area. Multi-family and commercial developments shall provide sidewalks.

6. 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.

7. 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 meet the construction standards from Subsections (3) & (4).

Therefore this Record of Decision is prepared for the purpose of detailing these modifications to the Unified Land-Use Codes of 2004 and shall be placed in the Codes as a part of Appendix K.

(Original Document is Signed)

_____

Robert C. Hall, Planning Administrator
Camden County Planning & Zoning

Camden County Commission
Record of Decision

June 22, 2006

In the matter of modifying the Unified Land-Use Codes of 2004 in response to a review of Unified Land-Use Codes of 2004 by the Planning & Zoning Commission

Comment: The following is a compilation of the actual changes made to the ULC as a result of this code review process and not a listing of the motions or votes. For details concerning the motions and the votes taken thereof, refer to the minutes of the hearings.

Whereas, the County Commission directed the Planning Commission to conduct a review of the Unified Land-Use Codes of 2004, and

Whereas, the Camden County Planning & Zoning Commission began this review in June of 2005 beginning with a series of work sessions that were open to the public, and

Whereas, the results of the review were read into the record at the April 2006 regular meeting with the announcement that the public hearing would follow in May, and

Whereas, the Planning Commission did hold a public hearing on May 17, 2006 to hear comments on the proposed modifications to the codes and with no comments made moved them to Old Business and with a unanimous approval recommended to the County Commission to approve all changes, and

Whereas, the Camden County Commission did meet on June 22, 2006 and with a unanimous vote did approved the following modifications to the Codes:

Page 10 Section 203 Definitions - Lot (change)

Old: **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.

New: **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.*

Page 47 (Title) Article 700 (change title)

Old: Article 700: Nonconforming Situations

New: Article 700: *Nonconforming Land-Use Issues*

Page 60 Section 804, 2, i (change)

Old: i. Single-family dwellings to include site built homes, modular homes, Class A 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

New: 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

Page 62 – Section 804, 5, a (change)

Old: a. All tracts and lots of property created after the effective date of these regulations shall have a minimum dimension of two hundred (200) feet.

New: a. All tracts and lots of property created after the effective date of these regulations 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*.

Page 64 – Section 805, 5, a (change)

Old: a. All tracts and lots of property created after the effective date of these regulations shall have either road frontage or a minimum dimension of one hundred fifty (150) feet.

New: a. All tracts and lots of property created after the effective date of these regulations shall have ~~**either road frontage or**~~ 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.*

Page 70 – Section 808, 3, l (add new)

New: *l. 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.*

Page 70 – Section 808, 5, b (change)

Old: b. All tracts and lots of property created after the effective date of these regulations shall have a minimum area of three (3) acres. Residential lots in this zoning classification shall be allowed a minimum area of 10,000 square feet if served by a DNR approved central potable water and wastewater system.

New: b. All tracts and lots of property created after the effective date of these regulations shall have a minimum *average* area of three (3) acres *unless served by a MDNR approved centralized wastewater system then the*

minimum lot area allowed will be 8,500 square feet. For purposes of Minor Plat approval any lot that is less than 2-acres in area must be approved by the Planning Commission.

Page 73 – Section 809, 5, a (change)

Old: a. All tracts and lots of property created after the effective date of these regulations shall have a minimum road frontage dimension of seventy (70) feet. (On cul-de-sacs and curves this is measured at the setback line)

New: a. All tracts and lots of property*, excluding those for utility facilities and Accessory Use lots,* created after the effective date of these regulations 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 cannot be reduced below 25-feet in this manner.*

Page 73 – Section 809, 5, b (change)

Old: b. All tracts and lots of property created after the effective date of these regulations shall have a minimum area of 22,000 square feet. Residential lots in this zoning classification shall be allowed a minimum area of 10,000 square feet if served by a DNR approved central potable water and wastewater system.

New: b. All tracts and lots of property*, excluding those for utility facilities and Accessory Use lots,* created after the effective date of these regulations 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.*

Page 75 – Section 810, 5, a (change)

Old: a. All tracts and lots of property created after the effective date of these regulations shall have a minimum road frontage dimension of seventy (70) feet. (On cul-de-sacs and curves this is measured at the setback line)

New: a. All tracts and lots of property*, excluding those for utility facilities and accessory use lots,* created after the effective date of these regulations 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 cannot be reduced below 25-feet in this manner.*

Page 81 – Section 813, 5, a (change)

Old: a. The maximum height of any structure shall fifty-five (55) feet above the finished grade.

New: 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.*

Page 83 – Section 814, 5, a (change)

Old: a. The maximum height of any structure shall be sixty (60) feet above the finished grade.

New: a. The maximum height of any commercial structure, *excluding utility structures,* shall be *one hundred and twenty (120)* feet above the average finished grade.

Page 85 – Section 815, 5, a (change)

Old: a. The maximum height of any structure shall seventy-five (75) feet above the finished grade.

New: a. The maximum height of any structure*, excluding utility structures*, shall be *one hundred and twenty (120)* feet above the average finished grade.

Page 87 Section 816, Number 3, c (modify)

Item number is omitted to correct numbering of the Section

Page 87 Section 816, Number 3, b: (add & change)

Old: c. Where building setback lines have been established through the previous construction of two or more structures, housing a principal use, along a private, state, or county road, the Planning Administrator may, at his discretion, determine the proper setback line for new construction consistent with the previously established line.

New: b. Where building setback lines have been established through the previous construction of two or more structures~~, housing a principal use,~~ along *the lake front or* a roadway, the Planning Administrator may, at his discretion, determine the proper setback for new construction consistent with the previously established build line *(this option is specifically designed for infill development in already established developments). The Planning Administrator may use Covenants and Restrictions recorded prior to June 1, 2004 for existing subdivisions as a guide.*

Page 97 – Section 1007, 4 (add)

Old: 4. The sidewalk required by this section shall be at least four (4) 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:

New: 4. The sidewalks required by this section shall be at least four (4) feet in width and constructed according to the specifications as set forth in Appendix C *and in compliance with the American's with Disabilities Act (ADA)*, except that the County may permit the installation of walkways with other suitable materials when it concludes that:

Page 98 – Section 1008, 4 (add)

Old: 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 is shall be landscaped and maintained.

New: 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 is shall be landscaped and maintained. *Alternative street turn around formats may be approved by the Planning Commission based on a recommendation by the County Highway Engineer.*

Page 99 – Section 1008, 9 (add)

New: *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).*

Page 102 – Section 1015 (add)

New: ***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 bond as applicable.

Page 111 – Section 1205, 4 (add)

Old: 4. 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.

New: 4. 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. *To meet the standards of Section 1205 refer to*

Appendix D: Technical Plan Requirements for design criteria and submittal needs.

Page 137 – Appendix C, C-14, 1 (change)

Old: 1. The minimum design frequency for storm runoff shall be 10 years for storm sewer collection and 25 years for cross drainage (i.e., drainage facilities crossing a street).

New: 1. The minimum design frequency for storm runoff shall be 10 years for storm *water* collection and *50* years for cross drainage (i.e., drainage facilities crossing a street).

Page 137 – Appendix C, C-14, 3 (change)

Old: 3. Culvert outlet protection and swale erosion protection shall be designed based on a 10-year storm.

New: 3. Culvert outlet protection and swale erosion protection shall be designed based on a ***50***-year storm

Page 147 – Appendix D, D-2, 2a (change)

Old: 2a. All conduits and channels are designed to accommodate the peak flow from the design storm (100-year return frequency, 24-hour duration).

New: 2a. All conduits and channels are designed to accommodate the peak flow from the design storm (***50***-year return frequency, 24-hour duration).

Therefore, these modifications to the Unified Land-Use Codes of 2004 shall become effective on July 1, 2006.

(Original Document is Signed)

Robert C. Hall, Planning Administrator
Camden County Planning

Camden County Commission
Record of Decision

June 22, 2006

In the matter of modifying the Unified Land-Use Codes of 2004 in response to a review of Unified Land-Use Codes of 2004 by the Planning & Zoning Commission

Comment: The following is a change that adds a new Appendix to the Codes dealing with Buffers, Landscaping, and Open Space for higher intensity land-uses. Additionally a new Section (1208) is created that ties the Appendix into the code framework.

Whereas, the Camden County Planning & Zoning Commission during their review of the codes decided to address this topic during the spring of 2006, and

Whereas, the results of the review were read into the record at the June 2006 regular meeting with the announcement that the public hearing would follow in July, and

Whereas, the Planning Commission did hold a public hearing on July 19, 2006 to hear comments on the proposed modifications to the codes and with no comments and no opposition moved them to Old Business and with a unanimous approval recommended to the County Commission to approve all changes, and

Whereas, the Camden County Commission did meet on August 17, 2006 and with a unanimous vote did approved the following modifications to the Codes:

Page 112 – Section 1208 (Add New)

SECTION 1208 – 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.

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.

Therefore, these modifications to the Unified Land-Use Codes of 2004 shall become effective on August 17, 2006.

(Original Document is Signed)

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Robert C. Hall, Planning Administrator
Camden County Planning

Camden County Commission
Record of Decision

August 21, 2008

In the matter of modifying the Unified Land-Use Codes of 2004 in response to a review of certain Conditional Use Permit provisions in the B-2 General Commercial zoning district by the Planning & Zoning Commission

Comment: The following is a change that creates a Conditional Use Permit option for limited Dock Assembly and establishes certain limits on entertainment venues in the B-2 zoning district

Whereas, the Camden County Planning & Zoning Commission during their review of this issue decided to address this topic during the spring of 2008, and

Whereas, the results of the review were read into the record at the April 2008 regular meeting of the Planning & Zoning Commission, and

Whereas, the Planning Commission did hold public hearings on April 16, and May 21, 2008 to hear comments on the proposed modifications to the codes and after taking comments and with a unanimous approval recommended to the County Commission to approve the changes, and

Whereas, the Camden County Commission did meet on June 19, 2008 and with a unanimous vote did send these issues back to the Planning & Zoning Commission for further review, and

Whereas, the Planning Commission did discuss these provisions at the July 2008 hearing and decided that no changes were necessary and voted to return the modifications to the County Commission without a new vote, and

Whereas, the Camden County Commission did meet on August 21, 2008 and with a unanimous vote did approved the following modifications to the Codes:

Add the following to Section 813 – B-2: General Commercial
Item #4 Conditional Use Permits:

d. Dock Assembly not including salvage operations

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)

Therefore, these modifications to the Unified Land-Use Codes of 2004 shall become effective on September 1, 2008 (as established by the County Commission).

(Original Document is Signed)

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Robert C. Hall, Planning Administrator
Camden County Planning