

**RESOLUTION TO AMEND UNIFIED DEVELOPMENT CODE  
OF CHRISTIAN COUNTY, MISSOURI**

WHEREAS, the Unified Development Code of Christian County, Missouri provides for a procedure in which applicants may seek a Division III Permit upon any one, or combination, of seven conditions; and

WHEREAS, many, if not all, of these applications have concerned a change in land use category, and

WHEREAS, others have sought a change in land use category and establishment of a subdivision of four lots or more, and

WHEREAS, it is sought to clarify the Unified Development Code, by amendment, that Division III Permits shall conform to existing State law when those applications only concern subdivisions of four lots or more, and

WHEREAS, it is the intent of this Resolution to clarify the distinction between issues that concern the change of land use categories from those that only concern subdivisions, and

WHEREAS, it is believed that the existing "Performance Criteria Evaluation Score Sheet for Subdividing of Residential Land Use" should be replaced with the Criteria Checklist for Subdivision of Residential Land Use attached to this Resolution as Exhibit A.

IT IS HEREBY RESOLVED that a plot plan is required before an application for preliminary plat may be filed and the requirements for a plot plan are as follows:

- (a) A title block giving the subdivision's name and the quarter-quarter section, section, township, range, principal meridian, and County of its location.
- (b) 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.
- (c) A notation of any adjoining plats or certificates of survey and ties thereto.
- (d) The basis of bearings used and a north point.
- (e) A scale, not smaller than one inch (1") to two hundred feet (200').
- (f) All existing monuments found during the course of the survey, including a physical description, such as "brass cap."
- (g) All existing easements or rights-of-way, including those contiguous to the platted area, their nature, width and the book and page numbers where recorded.
- (h) All lots, blocks, rights-of-way and easements to be created by the subdivision with their boundary, bearings, lengths and widths.
- (i) All monuments set during the course of the survey, in accordance with Missouri Minimum Standards, and including appropriate witness monuments.

- (j) The area of the smallest and largest lots created by the subdivision; and in a separate table or in the owner's certificate, a summary of total acreage, total acreage in lots, and total acreage in roads or other dedicated parcels.
- (k) A vicinity map locating the subdivision within the section, identifying adjoining or nearby plats or certificates of survey and showing prominent landmarks.
- (l) A certificate showing the name and registration number of the surveyor responsible for making the survey. This certificate shall be signed and dated.
- (m) Absolute Policies in accord with Section 10-10.
- (n) Absolute Policies in accord with Section 10-15.
- (o) Absolute Policies in accord with Section 10-25.
- (p) Absolute Policies in accord with Section 10-40.
- (q) Absolute Policies in accord with Section 10-45.
- (r) Absolute Policies in accord with Section 10-50.
- (s) Absolute Policies in accord with Section 10-55.
- (t) Any such regulation to which those Absolute Policies refer.

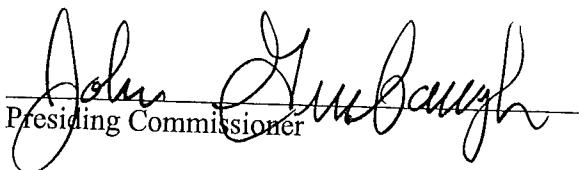
IT IS HEREBY RESOLVED that the existing "Performance Criteria Evaluation Score Sheet for Subdividing of Residential Land Use" shall be replaced in favor of the Criteria Checklist for Subdivision of Residential Land Use, attached hereto as Exhibit A; that the previous evaluation score sheet be removed from Chapter 11; and that the criteria checklist for subdivision of residential land use be inserted at the end of Chapter 4.

IT IS HEREBY RESOLVED that the following proviso shall be included at the end of the seventh sentence in Chapter 7, Section 7-10(D) "Action": "provided, however, that Relative Policies shall not be considered or applied to determine whether a proposed subdivision otherwise complies with pertinent provision of this Unified Development Code."

IT IS HEREBY RESOLVED that the phrase "(except subdivision applications)" follow the title "**Time Line for Division III Permit**" in Section 7-10(F).

IT IS HEREBY RESOLVED that the last sentence of Section 7-10(C)(6) shall be as follows: "This will be the preliminary plat, subject also to the requirements set forth in the Criteria Checklist for Subdivision of Residential Land Use."

IT IS HEREBY RESOLVED that a Division III Permit is required for any subdivision of land involving four or more tracts for single family residences on lots of three acres or more or the creation of a commercial lot before an application for a preliminary plat may be submitted to the Planning and Zoning Commission for approval. Any application for a Division III Permit, which includes an application for approval of a major subdivision, shall be reported upon by the Planning & Zoning Commission within thirty (30) days of the application, unless the applicant waives this time limitation.

  
 Presiding Commissioner

6-1-09  
 Date

*Yogi Hoff*  
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Commissioner

*Dee Barnett*  
\_\_\_\_\_  
Commissioner

*6-1-09*  
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Date

*6-1-09*  
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Date

# Exhibit A

## Criteria Checklist for Subdivision of Residential Land Use

### 1. Section 10-10 Water Quality

- B. **Soil and Erosion Control Plan** - If required by Chapter Nineteen - Stormwater and Erosion Control Regulations, phased site grading and stabilization shall be part of a preliminary soil and erosion control plan submitted as part of the application for a permit. Developers may use a variety of techniques to limit erosion to tolerable levels. Where these techniques are proposed, they shall be presented in the soil and erosion control plan submitted as part of the application for a permit. A final professionally prepared soil and erosion control plan must be submitted and a Soil Disturbance permit issued, according to Chapter 19, before the site is disturbed.

### 2. Section 10-15 Environmental Policies

- A. **Storm Water Control** - When required, stormwater detention plans shall be presented as part of the application for a permit and be prepared by an engineer licensed in the State of Missouri. Developments are required to rely on on-site detention and absorption of stormwater runoff to mitigate increased runoff effects resulting from development and increased impervious cover. (Refer to Chapter 19.)
- B. **Hazardous Wastes Disposal** - No material classified as hazardous wastes shall be stored or disposed of within Christian County except in an approved facility.
- C. **Sinkhole Setbacks** - No structures shall be located within the sinkhole setbacks (as required in Section 13-15 (Setback Distances Relative to Sinkholes and Section 19-68, C) and shall comply with State Statutes 578.205 and 578.215.
- D. **Impervious Cover Limitations** - The development shall not exceed the limits for impervious coverage

<u>Site Characteristics</u>	<u>Maximum Coverage</u>
0-5 percent slopes .....	65 percent
5-15 percent slopes .....	55 percent
15-20 percent slopes .....	40 percent
20-30 percent slopes .....	25 percent
30-plus percent slopes.....	10 percent

Impervious cover is defined in Chapter Two. The slope of an area may be determined from topographic maps, site evaluations, or engineer's statements. Any variance exceeding the maximums must be accompanied by a Professional Engineer's report addressing Stormwater, aquifer recharging, and soil erosion plan and/or require a variance through the Board of Adjustment.

- E. **Natural Watercourses** - Platted subdivision lot lines, commercial or industrial improvements, etc. shall maintain a 25 foot setback from existing stream banks.

F. **Permit Referrals** - The staff shall refer applicants for permits to the following agencies, as appropriate, for comments: Missouri Departments of Conservation, Department of Natural Resources, Department of Transportation; United States Army Corps of Engineers, Federal Emergency Management Agency (FEMA), United States Forest Service, school districts, Christian County Health Department, and incorporated municipalities.

3. **Section 10-25 Local Economic Development** - When proposing to develop, if the property is located within one and one-half miles from an incorporated area, the developer shall meet with the City in question, in order to discussed and receive a letter as to the effects the proposed development would have on the Local Economic Development of the city and the adopted Urban Service Area that has been filed with the Christian County Planning and Zoning Commission.

4. **Section 10-40 Services - Capacity and Access**

A. **Roads and Access** - All planned roads and access points that will serve the development shall meet the requirements of Chapter Fifteen - Christian County Road and Access Standards.

B. **Capacity Provision** - Adequate capacity to serve the proposed development shall be available, as evidenced by a letter from the required utility. The utility, road, or other service capacity required to accommodate a development may be provided at the expense of the developer in compliance with the requirements established for the construction, warranty, dedication, and financing of improvements established in Chapter Twelve - Improvements, Installation, Phasing, and Maintenance.

C. **Future Roads** - The dedication of all rights-of-way necessary for implementation of the County's Major Road Plan and for adequate local linkage of and circulation through individual developments shall be provided by the developer. The applicant/developer is required to dedicate of right-of-way on a deficient road, in order to meet the 50 foot County right-of-way requirements (25 feet from the center of the right-of-way).

C. **Easement Preservation** - Structures which extend over an existing or planned road easement at any height are prohibited.

**5. Section 10-45 Internal Improvements**

- A. **Internal Improvements** - All improvements shall be in accordance with the requirements of Chapter Twelve - Improvements, Installation, Phasing, and Maintenance.
- B. **Phased Development** - If phased development is to be proposed, all phases shall be clearly shown and described in the application material. Timelines or requirements shall be given for each stage of development.

**6. Section 10-50 Open Space - Density**

- A. **Maintenance of Common Open Space** - Legal arrangements shall be made to assure the maintenance of common open space that is not dedicated to and accepted for public use by the County Commission. (See Section 12-30 - Maintenance).
- B. **Minimum Lot Size** - All lots that are proposed shall meet the minimum lot sizes (as required by Section 4-70, A - Minimum Lot Sizes).

**7. Section 10-55 Solid Waste Disposal** - All developments shall have a written agreement with a solid waste company.