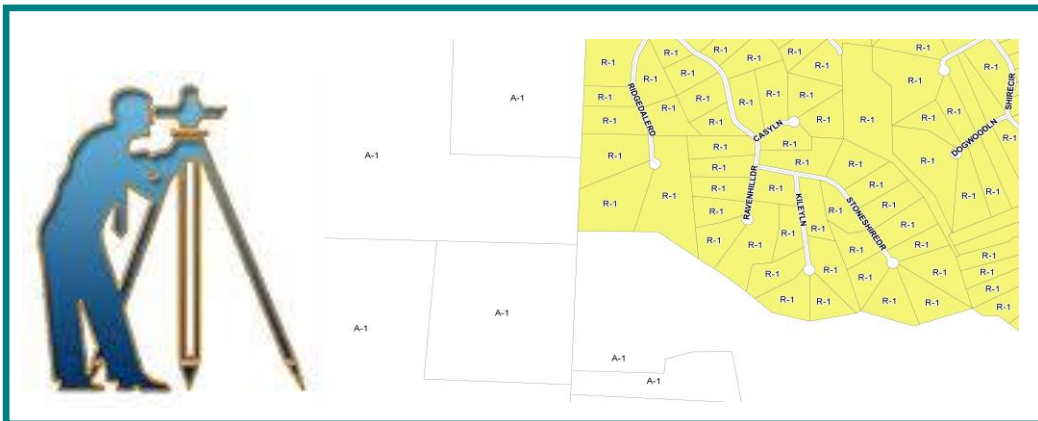


SUBDIVISION REGULATIONS

for

CHRISTIAN COUNTY, MISSOURI



**Formerly Referred to as Section 4-70, 4-75, 4-76, 4-77, 4-78 and 4-80
of the Unified Development Codes**

**Amendments Adopted July 6, 2010 to be Effective August 9, 2010 and
shall be henceforth known as the
Subdivision Regulations of Christian County**

SUBDIVISION REGULATIONS

for

CHRISTIAN COUNTY, MISSOURI

Christian County Commission

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Hosea Bilyeu, Western District Commissioner
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Christian County Planning and Zoning Commission

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SUBDIVISION REGULATIONS CHRISTIAN COUNTY, MISSOURI

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SUBDIVISION REGULATIONS CHRISTIAN COUNTY, MISSOURI

ARTICLE 1. GENERAL PROVISIONS

Section 1. Title

The Unified Development Codes for Christian County Missouri were adopted on January 22, 1993 by order of the Christian County Commission pursuant to the authority granted by the Legislature of the State of Missouri in Sections 64.510 through 64.695 of the Revised Statutes of Missouri. These Codes, in pursuance of the authority granted by Section 64.670 of the Revised Statutes of Missouri, are henceforth amended resulting in the removal and separation of the subdivision regulations formerly known as Section 4-70, Section 4-75, Section 4-76, Section 4-77, Section 4-78 and Section 4-80 of the Unified Development Codes. These regulations shall hereafter be known, cited and referred to as the “Subdivision Regulations” of Christian County, Missouri.

Section 2. Authority

By authority of the resolution of the Christian County Planning and Zoning Commission, adopted pursuant to the powers and jurisdictions vested through Sections 64.550 through 64.590, Chapter 64, Revised Statutes of Missouri, and other applicable laws, statutes, orders and regulations of the State of Missouri and County of Christian, the Planning and Zoning Commission does hereby exercise the power and authority to review, approve, and disapprove plats for subdividing land within the unincorporated areas of the County which show lots, blocks or sites with or without new streets or highways. By the same authority, the Planning and Zoning Commission does hereby exercise the power and authority to pass and approve the development of platted subdivisions of land already recorded in the office of the County Recorder of Deeds if such plats are entirely or partially undeveloped.

- A. The plat shall be considered to be entirely or partially undeveloped if:
1. said plat has been recorded with the County Recorder of Deed’s office without prior approval by the Planning and Zoning Commission, or
 2. said plat has been approved by the Planning and Zoning Commission where the approval has been granted more than three (3) years prior to any application for a building permit, on the partially or entirely undeveloped land, and
 3. zoning regulations, either bulk or use, for the district in which the subdivision is located, have been changed subsequent to the original final subdivision approval.

Section 3. Policy and Purposes

It is hereby declared to be the policy of Christian County to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the County pursuant to the official Comprehensive Plan of the County for the orderly, planned, efficient, physical and economical development of the County. The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the Comprehensive Plan, the capital budget and program of the County, and it is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in building and housing codes, Zoning Regulations and Orders, Comprehensive Plan, capital budget and program of Christian County.

- A. These regulations are adopted for the following purposes:
1. To protect and provide for the public health, safety and general welfare of the County.
 2. To guide the future growth and development of Christian County in accordance with the Comprehensive Plan that represents the most beneficial use of private and public areas of the County, considering the suitability of such areas and having regard for the use of land and building development.
 3. To provide for the proper location and width of streets, roads, building lines, open space and recreation and to avoid undue congestion of population.
 4. To protect the character and the social and economic stability of all parts of the County, especially the unincorporated areas thereof, and to encourage the orderly and beneficial development of all parts of the County.
 5. To protect and conserve the value of land throughout the County and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.
 6. To provide a guide to public policy and action in facilitating adequate provision for transportation, water, sewerage, schools, parks, playgrounds, recreation and other public requirements and in the efficient provision of public facilities and services and for private enterprise in building development, investment and other economic activity relating to uses of land and buildings throughout Christian County.
 7. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the County, having particular regard to the avoidance of congestion in the streets and highways and the pedestrian traffic movements

appropriate to the various uses of land and buildings throughout the County, and to provide for the proper location and width of streets and building lines.

8. To establish reasonable standards of design and procedures for subdivisions and resubdivisions; to further the orderly layout and use of land and to insure proper legal descriptions and proper monumenting of subdivided land.
9. To limit development to an amount equal to the availability and capacity of public facilities and services.
10. To prevent the pollution of air, streams and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; to encourage the wise use and management of natural resources throughout the County in order to preserve the integrity, stability, and beauty of the community and the value of the land.
11. To preserve the natural beauty and topography of the County and to insure appropriate development with regard to these natural features.
12. To provide for open spaces through the most efficient design and layout of the land including the use of average density in providing for minimum width and area of lots while preserving the density.

Section 4. Enactment

In order that land may be subdivided in accordance with these purposes and policy, these Subdivision regulations are hereby adopted.

Section 5. Jurisdiction

- A. These subdivision regulations shall apply to all subdivision of land; located within the unincorporated areas of the County, which includes:
 1. Any land, vacant or improved, which is divided or proposed to be divided into two (2) or more tracts, lots, parcels, sites, units, plots or interests, any of which contain less than twenty (20) acres, for the purpose of offer, sale, lease, or development, upon any and all plans, terms and conditions, including resubdivision.
 2. The division or development of residential and non-residential zoned land into two (2) or more tracts which contain less than twenty (20) acres, whether by deed, metes and bounds description, map, plat or other recorded instrument.
 3. The dedication of any public street.

B. Exemptions

The following divisions of land are exempt from these regulations:

1. Transfers of authority of circuit court.
2. Transfers by testamentary instrument.
3. Voluntary partition of property acquired by inheritance, whether testate or intestate.
4. Transfers of remainders resulting from the exercise of eminent domain or threat thereof.
5. Transfers to cemeteries.

- C.** No land shall be subdivided within the unincorporated area of the County until the subdivider or his agent shall have submitted a plat of the parcel to the Planning and Zoning Commission through its Executive Secretary, i.e., Planning and Zoning Administrator as designated by the County Commission and obtained approval of the preliminary plat by the Planning and Zoning Commission and until the approved plat is recorded in the office of the County Recorder of Deeds. No building permit or Certificate of Occupancy shall be issued for any parcel or plot of land which was created by subdivision after the effective date of, and not in conformity with, the provisions of these subdivision regulations except Administrative minor subdivisions of three (3) lots or less or replats may be approved administratively by the Planning and Zoning Administrator and no excavation of land or construction of any public or private improvements shall take place or be commenced except in conformity with the regulations.

ARTICLE 2. DEFINITIONS, INTERPRETATION and STANDARDS

Section 1. Interpretation

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare.

Section 2. Conflict with Public and Private Provisions

A. Public Provisions

The regulations are not intended to interfere with, abrogate or annul any other County Commission Order, rule or regulation, statute or other provision of law. Where any provisions of these regulations imposes restrictions, which differ from those imposed by any other provision of these regulations or any other County Commission Order, rule, or regulation or other provision of law, whichever provisions are more restrictive or impose higher standards, shall control.

B. Private Provisions

These regulations are not intended to abrogate any easement, covenant or any other private agreement, or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant or other private agreement, or restriction, the requirements of these regulation shall govern. Where the provisions of the easement, covenant or private agreement, or restriction impose duties and obligations more restrictive or higher standards than the requirements of these regulations, or the determinations of the Planning and Zoning Commission or the County Commission in approving a subdivision or in enforcing these regulations, and such private provisions are not inconsistent with these regulations or determinations thereunder, then such private provisions shall be operative and supplemental to these regulations and determinations made thereunder.

C. Separability

If any part or provision of these regulations or application thereof to any person or circumstance is adjusted invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The Planning and Zoning Commission

hereby declares that it would have enacted the remainder of these regulations even without any such part, provision or application.

D. Saving Provision

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the County under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm or corporation, by lawful action of the County, except as shall be expressly provided for in these regulations.

Section 3. Effective Date and Reservations

These subdivision regulations have been adopted by resolution carried by not less than a majority vote of the membership of the Christian County Planning Commission and shall have the same effective date as the Christian County Zoning Regulations.

Section 4. Amendments

For the purpose of providing for the public health, safety and general welfare, the Planning and Zoning Commission may from time to time amend the provisions imposed by these subdivision regulations. Public hearings on all proposed amendments shall be held by the Planning and Zoning Commission in the manner prescribed by law.

Section 5. Conditions

The subdivision of land is a privilege conferred upon the developer by the laws of the State of Missouri and through these subdivision regulations. It is the developer who is seeking to acquire the advantages of lot subdivision and upon him rests the duty of compliance with reasonable conditions laid down by the Planning and Zoning Commission for design, dedication, improvement and restrictive use of the land so as to conform to the physical and economical development of the County and to the safety and general welfare of the future lot owners in the subdivision and of the community at large.

Section 6. Resubdivision of Land

A. Procedure for Resubdivision

For any change in a map of an approved or recorded subdivision plat, if such change affects any street layout shown on such map, or area reserved thereon for public use, or any lot line, or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivision, such parcel shall be approved by the Planning and Zoning Commission by the same procedure, rules and regulations as for a subdivision.

B. Procedure for Subdivisions Where Future Resubdivision is Indicated

Whenever a parcel of land is subdivided and the subdivision plat shows one or more lots containing more than one acre of land, and there are indications that such lots will eventually be resubdivided into smaller buildings sites, the Planning and Zoning Commission may require that such parcel of land allow for the future opening of streets and the ultimate extension of adjacent streets. Easements providing for the future opening and extension of such streets may be made a requirement of the plat.

Section 7. Vacation of Plats

Any plat or any part of any plat may be vacated by the owner of the premises at any time before the sale of any lot therein by a written instrument, to which a copy of such plat shall be attached declaring the same to be vacated.

Such an instrument shall be approved by the Planning and Zoning Commission in like manner as plats of subdivisions. The County Commission may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets or alleys. Such an instrument shall be executed, acknowledged or approved and recorded or filed, in like manner as plats of subdivisions; and being duly recorded or filed shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, public grounds and all dedications laid out or described in such plat.

When lots have been sold, the plat may be vacated in the manner herein provided by all the owners of lots in such plat joining in the execution of such writing.

Section 8. General Rules of Construction

Certain words used in the regulations have been defined in this article. Where this is the case, they shall have the meaning given in the applicable section of the article. Where words have not been defined; the standard dictionary definition shall prevail. Where there is doubt, the Planning and Zoning Administrator shall have the right of interpretation. In construing the meaning of the regulations, the following rules shall apply:

- A. Words used in the present tense shall also include the future tense;
- B. Words used in the singular number shall also include the plural, and vice versa;
- C. The word “**shall**” is mandatory;
- D. The word “**may**” is permissive;
- E. The words “used” or “occupied” shall be construed to include “intended, designed or arranged to used or occupied”;
- F. Where reference is made to the regulations, it shall be construed to mean the regulations as originally passed and all subsequent amendments, supplements and revisions.

Section 9. Definitions

Acreage

The area of a tract measured in acres (1 acre = 43,560 square feet), including that part subject to road right-of-way and/or utility easements.

Administrative Minor Subdivision

Any division of unplatted land in which not more than three (3) tracts will be created, including any remainder proposed to be retained by the owner and which does not follow the preliminary / final plat procedure in compliance with the requirements of Article 5, Section 3.

Administrator

The Christian County Planning and Zoning Administrator

Alley

A passage or way affording generally a means of vehicular access to abutting properties and not intended for general traffic circulation.

Applicant

The owner of land proposed to be subdivided, or his / her legal representative. Written consent shall be required from the legal owner of the premises.

Block

A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, subdivision limits or boundary lines of municipalities.

Bond

A form of security from a qualified insurance or bonding company guaranteeing the costs associated with both the completion and maintenance of the required public improvements. The security requirements are enumerated in Sections 15, 16 and 17 of the Christian County Road and Access Standards. All bonds shall be approved by the County in any instance in which a bond is required.

Building

Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind.

Building Setback Line

A line or lines indicating the distance from the property line behind which all enclosed portions of the building, including porches which have a roof, must be located.

Cartway

The portion of the street right-of-way designed for vehicular traffic, measured from back of curb to back of curb where curbs exist. Where curbing does not exist, edge of pavement to edge of pavement.

Commission, County

The County Commission of Christian County, Missouri.

Common Area

Land which is dedicated or reserved by any owner(s) for private use by residents of the subdivision, such as, but not limited to, recreation areas, green areas and community centers.

Condominium

Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

Cul-de-sac

A street having one end open to traffic and being terminated at the other end by a vehicular turnaround.

Curb and Gutter

A border of concrete or asphalt along the edge of a street which protects the edge of the pavement and channels the flow of stormwater runoff.

Density

Calculated by dividing number of lots into area to be subdivided excluding road rights-of-way, except in A-R or R-R subdivisions, then road rights-of-way are included.

Developer

Any person, firm, partnership, corporation, or other entity acting as a unit, subdividing or proposing to subdivide land as herein defined.

Drainage Easement

An easement for use as a drainageway for stormwater runoff, and for constructing and maintaining such drainageways, channels, storm sewers, stormwater detention facilities, or other drainage works on, over, under, or across a tract of land together with all appurtenances necessary for the proper conveyance or storage of stormwater runoff together with all and singular rights, privileges, appurtenances thereto belonging or in anywise appertaining. Maintenance of drainage easements and drainage facilities located within such easement, is the responsibility of the property owner. No alteration of grades may be made within drainage easements without the written approval of the County. Refer to Article 5, Section 3 of the Christian County Stormwater & Erosion Control Regulations.

Easement

A grant by the property owner for the public or private use of land for specific purposes as noted on the plat or administrative minor subdivision.

Engineer

A registered professional engineer in the State of Missouri.

Frontage

Lot width requirement measured at lot line abutting road right-of-way, or at the setback line on curved streets.

Frontage – Cul-de-sac

Lot width measured at building setback line. Setback line may be greater than minimum required for district to meet minimum width.

Grid North

Reference for north based on the Geographic Reference System of Christian County, Missouri, based on the Missouri Coordinate System of 1983, Central Zone.

Improvements

Physical, construction or changes, such as clearing, grading, street surfacing, curbs and gutters, survey markers, sidewalks, crosswalks, culverts, bridges, water and sanitary and storm sewer lines, and other utilities.

Ingress / Egress Easement

A grant by the property owner to a specific public agency or private entity of the right to cross over a tract of land.

Legal Representative

A licensed attorney, an individual appointed by the court to administer the affairs of an individual (copy to be supplied to the Department), individual holding Power of Attorney (copy to be supplied to the Department), individual(s) who have been designated by a notarized statement to act on the behalf of the property owner (copy to be provided to the Department).

Linear Park Trail

A multi-use path which accommodates a variety of non-motorized transportation options such as walking, cycling, skating, jogging, etc. Linear park trails are an element of the greenway system and can be utilized for recreational purposes and as part of the off-street transportation network.

Lot

A parcel of land identified by a number on a subdivision plat or survey recorded in accordance with these regulations. A condominium unit shall be considered a lot for the purpose of these regulations.

Lot, Corner

A lot located at the intersection of and abutting on two or more streets.

Lot, Double Frontage

A lot which has two non-interesting sides abutting on two or more streets.

Lot, Footprint

A lot which is defined by the physical shape of the foundation of a structure.

Lot Split

A subdivision of a lot into two or more parcels.

Major Subdivision

Any division of land into lots or tracts less than 20 acres in size which does not fall within the classification of administrative minor subdivision.

Minor Subdivision

See Administrative Minor Subdivision.

Pedestrian Way

A right-of-way, dedicated to or set aside for public use, which cuts across a block to facilitate pedestrian access to adjacent streets and properties.

Planning and Zoning Commission

The Christian County Planning and Zoning Commission.

Planned Unit Development (PUD)

A zoning district with a minimum area of five (5) contiguous acres, to be planned, developed, operated, and maintained as a single entity and containing one or more structures and parcels to accommodate industrial, retail, service, commercial, office, or residential uses, or a combination of such uses, and appurtenant common areas and accessory uses incidental to the predominate uses. The intent of the PUD is to create a more flexible, creative and efficient approach to the use of land.

Plat – Final

The final plan or drawing and any accompanying required data or information which is submitted to the Planning and Zoning Administrator for final approval of a proposed subdivision and recording with the County Recorder of Deeds.

Plat – Preliminary

The preliminary or tentative plan, map or drawing on which the layout and design of a proposed subdivision is submitted to the Planning and Zoning Administrator for consideration and tentative approval.

Property Description

Description of a lot, tract or parcel by metes and bounds, by reference to a plat or by reference to government survey.

Public Sewer

Any sanitary sewer or wastewater system or part of such a system, which is owned, maintained and operated by an incorporated area of Christian County.

Real Property

Land that is owned by a person, entity or organization.

Regulations

The Subdivision Regulations of Christian County, Missouri.

Replat

A final plan or drawing and any accompanying required data, the purpose of which is to re-subdivide lots, revise lot lines, easements or other features on a previously recorded subdivision plat, subject to administrative approval.

Right-of-Way

Area dedicated to provide for streets (and roads).

Sanitary Sewer Easement

An easement for the purpose of constructing and maintaining a sanitary sewer together with all and singular rights, privileges, appurtenances, and immunities thereto belonging, or in anywise appertaining.

Sidewalk

A walk for pedestrians at the side of a street.

Sketch Plan

A drawing of the proposed layout for a tentative development as set forth in Article 6, Section 2.

Street

The full width between the property lines bounding every way of whatever nature for the purpose of vehicular traffic, whether designed as a street, highway, freeway, expressway, thoroughfare, parkway, road, avenue, boulevard, lane, place, circle or however otherwise designed.

Street Median

Area separating opposing lanes of traffic which may consist of but is not limited to, open space or concrete structures.

Street Classification

Streets and roads are classified by function according to relative importance, and design standards are related to functional classification. These classifications are as follows:

1. Arterial – Major, Primary or Principal

A street or highway primarily intended to provide for high volume, moderate speed and extended trip length traffic movement between major activity centers, with access to abutting property subordinate to major traffic movement.

2. Arterial – Minor or Secondary

A street which interconnects with and augments the major arterial system. The secondary arterial is primarily intended to provide for moderate volume, moderate speed, and short to moderate trip length while providing partially controlled access to abutting property.

3. Collector

A street which collects and distributes traffic to and from local and arterial street systems. The collector is primarily intended to provide for low to moderate volume, low speed and short length trips while providing access to abutting property.

4. Cul-de-Sac or Dead-End Street

A minor street with only one outlet.

5. Expressway

A street or highway with partially controlled access limited to intersections with public streets. The expressway is primarily intended to provide for high volume, moderate to high speed extended inter/intra city traffic between major activity centers with minimal impairment to movement.

6. Freeway

A divided highway with fully controlled access limited to grade-separated interchanges constructed at major thoroughfares. A freeway is primarily intended to provide for high volume, high speed intercity traffic movements.

7. Local

A street primarily providing direct access to abutting property and designed to accommodate low volume, low speed traffic.

8. Marginal Access Street or Service Road

A minor street which is parallel and adjacent to an arterial street and which provides access to abutting properties and protection from through traffic.

Street, Private

Street under private ownership, control and maintenance. Requires covenants approved by the office of the Christian County Counselor to provide for maintenance.

Subdivision

The division of any tract of land into two or more tracts, any of which contains less than twenty (20) acres or which involves public street dedication which includes any tract of land divided by means of a plat created under these regulations into legal tracts of record and any tract divided by an administrative minor subdivision.

Surveyor

A (registered) Professional Land Surveyor in the State of Missouri.

Tract

A defined area of land.

Urban Service Area (USA)

An area outside, of an incorporated community's city limits in which a comprehensive land use and infrastructure master plan has been adopted for the purpose of effectively managing land use in a sustainable manner by applying sound planning principals to land use decisions and where each incorporated community considers to be that area where the greatest local level of public investment for installation and/or maintenance of capital improvements existing or is planned in the next 1-5 years. The USA boundary shall consist of planning "Tiers" One, Two, and Three based on adopted comprehensive master plans.

1. Tier One: Urban Service Area

An area where the incorporated community can, is willing, or intends to annex and offer access to public water and sewer infrastructure for property deemed appropriate for urban level development. (Generally a 1-5 year plan).

2. Tier Two: Rural/Low Density Planning Area

An area beyond Tier 1 that a city recognizes in their comprehensive land use plan but that is not within reasonable proximity to be serviced by public water and sewer infrastructure without significant off site private assistance. This area, although in advance of urban level development proposals shall require Christian County decision makers to refer to local and regional plans prior to approving development proposals.

3. Tier Three: Extended Planning Area (Agricultural)

An area beyond Tier One and Tier Two that is recognized in a community's comprehensive plan as a future urbanized area where public services will be provided at a later date. Generally, it is assumed that this area will not be developed within the immediate 10-years with urban level densities due to the lack of urban level public services such as water and sewer. The Christian County Commission shall evaluate development proposals within this Tier to ensure compliance with local, county, and regional comprehensive plans.

Utility Easement

A grant by the property owner to public or private utility providers, of the right to construct, operate, and maintain lines, poles, wires, cable, fixtures, and appurtenances for the distribution and transmission of natural gas, water, electric power, telephone, fiber optic cable and other communications on, over, under and across a tract of land.

Walkway

An element of the off-street pedestrian system similar to a sidewalk which may or may not be located within a public or private street right-of-way. Walkways provide pedestrian access between adjacent streets, residential developments, shopping or employment centers, parks, schools or other public facilities.

Watercourse

A watercourse is land which has conformation so as to give to surface water flowing from on tract of land to another tract of land, a fixed and determinate course so as to uniformly discharge it upon the servient tract at a fixed and definite point. It shall include but shall not be limited to ravines, swales, sinkholes or depressions of greater or lesser depth extending from one tract and so situated as to gather up the surface water flowing upon the dominate tract and to conduct along a definite course to a definite point of discharge upon the servient tract. It shall not be deemed to be important that the force of water flowing from one tract of land to another has not been sufficient to wear out a channel or canal having definite well-marked sides or banks. If the surface water, in fact, uniformly or habitually flows over a given course, having reasonable limits as to the width of the line of its flow, it shall be considered to have a definite course.

Zoning Order

The Zoning Order for Christian County, Missouri adopted by the Christian County Commission.

ARTICLE 3. ADMINISTRATION

Section 1. Records

- A.** The Planning and Zoning Administrator shall maintain an accurate record of all subdivisions and supplementary data pertaining to same and of the findings, decisions and recommendations in relation to such subdivision, which records shall be maintained in the office of the Planning and Zoning Administrator.
- B.** The Planning and Zoning Administrator shall report all administrative approvals to the Planning and Zoning Commission on a monthly basis.

Section 2. Enforcement, Violations and Penalties

A. General

- 1. Violations of these regulations shall constitute a misdemeanor as provided in Chapter 64.690, RSMo.
- 2. It shall be the duty of the Planning and Zoning Administrator to enforce these regulations and to bring to the attention of the County Prosecuting Attorney any violations or lack of compliance herewith.
- 3. No property description of any subdivision governed by these regulations shall be entitled to be recorded in the County Recorder's Office or have any validity until it shall have been approved in the manner prescribed herein. In the event any such unapproved property description is recorded, proceedings shall be instituted to have such plat or deed declared invalid.
- 4. No owner or agent of the owner of any parcel of land shall transfer or sell any land by reference to, exhibition of, or by use of a subdivision description nor shall any person purchase such land before such subdivision description has been approved by the Planning and Zoning Commission, in accordance with these regulations, and filed with Christian County Recorder of Deeds.
- 5. The subdivision of any lot or any parcel of land by the use of metes and bounds description for the purpose of sale, transfer, or lease with the intent of evading these regulations, shall not be permitted. All such described subdivisions shall be subject to all of the requirements contained in these regulations.

6. Permits

The Building Regulations Department shall not issue any building permits for the construction of any building or structure except where a subdivision description has been approved in the manner prescribed herein.

B. Violations and Penalties

Any person, firm or corporation who fails to comply with, or violates any of these regulations shall be subject to a fine of not more than \$1000.00 (one thousand dollars) or imprisonment in the County jail for a period not exceeding one (1) year, or both, such fine and imprisonments, pursuant to the provisions of Section 64.690 of the Revised Statutes of the State of Missouri.

C. Civil Enforcement

Appropriate actions and proceedings may be taken by law or in equity pursuant to Section 64.690, Revised Statutes of Missouri, to prevent any violation of these regulations; to prevent unlawful construction; to recover damages; to restrain; to correct or abate a violation; to prevent illegal occupancy of a building, structure or premises. These remedies shall be in addition to the penalties described above.

ARTICLE 4. GENERAL SUBDIVISION PLATTING PROCEDURE

Section 1. Purpose

It is the purpose of this article to outline the general subdivision platting procedure for administrative minor subdivisions, lot line adjustments, major subdivisions and Planned Unit Developments.

Section 2. Administrative Procedure

In the administration of these regulations, the Planning and Zoning Administrator shall:

- A.** Receive, officially accept, and review all applications for subdivisions within the unincorporated area of Christian County.
 - 1. Applications are not officially accepted until the appropriate submittal forms and documentation are received by the department.
 - 2. Applications which are incomplete will not be processed by Department personnel.
 - 3. Notification of incomplete submittal shall be sent not more than thirty (30) days from date stamped received.
- B.** Maintain current permanent files and records concerning all applications, administrative minor subdivisions and major subdivisions.
- C.** Conduct inspections and review all applications for completeness and substantial compliance with the Christian County Zoning Regulations, the Christian County Subdivision Regulations, the Christian County Stormwater and Erosion Control Regulations and the Christian County Road and Access Standards.
- D.** Insure that copies of the subdivision regulations are available for public distribution.
- E.** Provide such technical and consultative assistance as may be required by the Planning and Zoning Commission, the County Commission, and other County agencies in the exercise of their duties relative to these regulations.
- F.** Perform such other duties and functions as required by these regulations.

Section 3. Classifications

A. Administrative Minor Subdivision

Any division of unplatted land in which not more than three (3) tracts will be created, including any remainder proposed to be retained by the owner and which does not follow the preliminary / final plat procedure in compliance with the requirements of Article 5, Section 3. In addition, an administrative minor subdivision shall have the following characteristics:

1. Not more than three (3) tracts less than twenty (20) acres in size shall be created, inclusive of any tract retained by owner and
2. The tracts created shall be in compliance with the requirements of the zoning district within which located,
2. The tract was lawful under these regulations at the time the existing property description was recorded, or
3. The configuration of the property was created by a court decree or order resulting from testamentary or intestate provisions, such property configuration must be in compliance with the zoning district or had a variance granted by the Board of Adjustment, or
4. The configuration of the property is created by the assembly or combination of existing tracts of record, not platted subdivision lots.
5. Public improvements required by the regulations have been provided and all such improvements, except for the extension of service to the individual lots, have been completed.
6. Within platted subdivisions, a replat is required for any change of easements, setback lines, increase / decrease in number of lots, lot line, etcetera.

NOTE: The Planning and Zoning Administrator may approve an administrative minor subdivision when the minimum lot area for the zoning district is met.

B. Major Subdivision

Any division of land into tracts less than 20 acres in size which does not fall within the classification of administrative minor subdivision.

C. Replat

Within platted subdivisions, a replat is required for any change of easements, setback lines, increase / decrease in number of lots, lot line, etcetera.

D. Planned Unit Development (PUD)

A zoning district with a minimum area of five (5) contiguous acres, to be planned, developed, operated, and maintained as a single entity and containing one or more structures and parcels to accommodate industrial, retail, service, commercial, office, or residential uses, or a combination of such uses, and appurtenant common areas and accessory uses incidental to the predominate uses. The intent of the PUD is to create a more flexible, creative and efficient approach to the use of land.

ARTICLE 5. ADMINISTRATIVE MINOR SUBDIVISIONS

Section 1. Administrative Minor Subdivision Review

- A.** The Planning and Zoning Administrator has the authority to approve administrative minor subdivisions under the following circumstances:
1. If an existing tract / parcel is to be subdivided into not more than three (3) tracts or parcels which are in compliance with requirements of the zoning district within which located.
 2. The tract was lawful under these regulations at the time the existing property description was recorded, or
 3. The configuration of the property was created by a court decree or order resulting from testamentary or intestate provisions, such property configuration must be in compliance with the zoning district or had a variance granted by the Board of Adjustment, or
 4. The configuration of the property is created by the assembly or combination of existing tracts of record, not platted subdivision lots.
 5. Within platted subdivisions, a replat is required for any change of easements, setback lines, increase / decrease in number of lots, lot line, etcetera.
- B.** It is the intent of this provision to limit the approval of administrative minor subdivisions to those cases where public improvements required by the regulations have been provided and all such improvements, except for the extension of service to the individual lots, have been completed.
- An administrative minor subdivision must be denied if one or more of the following are necessary to serve tracts created.
1. The dedication or construction of a new street or other public way. (This does not mean dedication of additional right-of-way adjacent to an existing street(s).) Or
 2. A change in alignment of existing streets / roads, or
 3. A change in location or width of easements for water, sewer, or other public improvement, or
 4. Extension of storm drainage facilities, except as necessary to directly serve the tract(s) created and provided direct connection to an existing and approved system.
- C.** Administrative Minor Subdivisions will follow the same review procedures as final plats.

- D.** The Planning and Zoning Administrator may approve an administrative minor subdivision which will not result in substantial increases in public service requirements nor interfere with the maintenance of existing services.
- E.** The Planning and Zoning Administrator shall review the official zoning map in order to make a determination of the zoning district(s) which governs the minimum area and frontage requirements for land subdivided and to insure that all other requirements for the District are complied with.
- F.** Where proposed tract(s) have access to public services (utilities, sanitary sewer, roads) the Administrator shall consider whether lots created will be consistent with those in the surrounding vicinity, including existing subdivisions.
- G.** Double frontage lots shall be permitted one (1) access drive.
- H.** The Planning and Zoning Administrator may approve an administrative minor subdivision when the minimum lot area for the zoning district is in compliance with the Zoning Regulations.
 - 1. Not more than three (3) tracts less than twenty (20) acres shall be created, inclusive of any tract retained by owner.
 - 2. Additional right-of-way is required before future street / road improvements can be satisfactorily provided; and
 - a. For tracts without direct access to a County road satisfactory provision shall be made for access to the public road.
 - (1) An ingress / egress easement with a minimum width of twenty-five (25) feet shall be recorded and indicated on the land survey plat should said easement serve one tract of land
 - (2) An ingress / egress easement with a minimum width of fifty (50) feet shall be recorded and indicated on the land survey should said easement serve two or three tracts of land.
 - (3) No lot or lot width shall be created by use of an easement on lots that abut existing roads or use road ROW for an easement.
 - 3. No substantial public improvements are needed; and

4. Future development of adjacent tracts will not be hampered. Should the Planning and Zoning Administrator's review identify problems with topography, sinkholes, or other environmental factors on adjacent properties, access across land of proposed subdivision shall be provided, except that no more than three (3) tracts of less the twenty (20) acres may be served by a fifty (50) foot wide ingress / egress easement, and
 5. The granting of an administrative minor subdivision will not be in conflict with the intent of the Christian County Subdivision Regulations.
- I. The subdivider must provide signage in accordance with the requirements of the applicable Christian County or Special Road District for private drives.
 - J. Upon the recording of an administrative minor subdivision, the owner may convey property in accordance with the approved legal descriptions and building permits may be issued.
 - K. Fee for Administrative Minor Subdivision**

Refer to the fee schedule adopted by rule of the Christian County Commission upon the recommendation of the Christian County Planning and Zoning Commission for the current fee.

Section 2. Administrative Minor Subdivision Boundary Survey

- A. The Planning and Zoning Administrator shall require the recording of a boundary survey, in accordance with the Current Minimum Standards for property boundary surveys, showing each tract with monuments at each corner, the certificate of approval and the certificate of ownership.
 1. Land survey plats shall show all easements of record.
 2. Additional right-of-way shall be required to comply with the 50 foot County right-of-way requirements (25 feet from the center of the right-of-way).
 3. Right-of-way, existing and additional, combined as one tract, shall be deeded to Christian County by Right-of-Way Warranty Deed.
 4. The land survey plat shall delineate the existing right-of-way and the additional right-of-way. The property description provided for the right-of-way to be deeded to Christian County shall include the portion of the property in the existing right-of-way. Right-of-way shall be shown on the land survey plat as an adjoining tract, and monuments shall be set at all corners of said right-of-way, including corners on the existing centerline of the right-of-way, points of curvature, and points of tangent.

5. The right-of-way descriptions shall be referenced to United States Public Land Survey Corners and land lines established between United States Public Land Survey Corners. The description shall be complete enough so the described tract of land can be located and identified. All right-of-way descriptions shall be subject to review and approval by either the Christian County Commission or the applicable special road district.
6. The direction of boundary lines shown on plats or for preparation of property descriptions shall be referenced by direct angles or by bearing or azimuth to established land lines between United States Public Land Survey Corners.
7. Complete curve data for all curves including radius, central angle, tangent, arc length, long chord length and long chord bearing shall be shown on the plat. For preparation of property descriptions, the long chord bearing, and two elements of the curve shall be required.
8. Standard thirty (30) foot sight triangles will be required at the intersections of all public roads.

Section 3. Administrative Minor Subdivision Approval Procedure

- A. The application for an administrative minor subdivision review shall be filed on forms provided by the Planning and Zoning Department. The Planning and Zoning Administrator shall require the following applicable accompanying documents:
 1. A Property Boundary Survey and the land survey plat indicating all easements of record which shall comply with the current Missouri Minimum Standards for Property Boundary Surveys.
 2. The permit application signed by the owner or legal representative.
 3. A copy of the tax map which may be provided by the Planning and Zoning Department.
 4. A copy of the recorded deed of ownership.
 5. A driveway access permit must be attained for the subdivision from the applicable County Road District (or their designee), Special Road District or the Missouri Department of Transportation.
 6. The municipality's comment letter if the property lies within the Tier 1, 2, or 3 of the Urban Service Area adopted maps.

7. Any additional information, material and documents necessary to determine compliance with all regulations of Christian County.
- B.** The Planning and Zoning Administrator shall review the application, land survey plats and related documentation and may submit said information for review and comment to other agencies and departments as deemed necessary.
- C.** The Planning and Zoning Administrator shall, in writing, either approve or deny the application within thirty (30) working days from date of submittal.
 1. If approved, the appropriate forms and land survey plat, shall be filed with the Recorder of Deeds.
- D.** If the application is denied, a letter shall be sent to the owner and / or representative specifying reason(s) for the disapproval. This letter shall be sent within thirty (30) working days from the date of submittal of request.
- E. Submittal Date:**
 1. The submittal date is determined by the date in which all applicable documentation has been received.
 2. In the event a portion of the application is filed late, the date of submittal shall be the date stamped on that portion which is submitted late.

Section 4. Administrative Minor Subdivision Appeal of Denial

- A.** In the event the Planning and Zoning Administrator does not approve the request for a administrative minor subdivision, the applicant may appeal to the Planning and Zoning Commission for approval.
- B.** Within thirty (30) days after the denial of an administrative minor subdivision, the owner / applicant and / or representative shall submit a written request appealing the denial of the administrative minor subdivision by the Planning and Zoning Administrator, requesting to be placed on the next available Planning and Zoning Commission agenda. Submittal deadlines shall comply with calendar of submittals for public hearings.
- C.** The applicant and / or representative must be present to provide testimony and answer questions with regard to the appeal.
- D.** The applicant’s appeal shall contain clear and concise language and be submitted with a drawing showing the property boundary, dimensions and lot lines, dimensions of proposed lots, and any easements or other encumbrances of record. The Planning and Zoning Administrator may require a property survey.
- E.** The Planning and Zoning Commission shall hold a public hearing on the final plat. The Planning and Zoning Commission shall review any recommendations from agencies or officials, testimony and exhibits submitted at the public hearing.
 - 1. If approved, the Planning and Zoning Commission shall express its approval and state the conditions of approval, if any.
 - 2. If denied, the Planning and Zoning Commission shall express its disapproval and its reasons therefore and instruct the Planning and Zoning Administrator to notify the applicant of the Commission’s determination.
 - 3. In any case, a notation of the action taken and the reason therefore shall be entered into the records of the Planning and Zoning Commission.
- F.** If approved by the Planning and Zoning Commission, the Planning and Zoning Administrator shall affix his or her signature to the Certificate of Approval on the plat.
- G.** If the request is disapproved, the applicant may appeal to the Board of Adjustment within ninety (90) days after the Planning and Zoning Commission’s action.
- H.** Fee for appeal of denial of administrative minor subdivision. Refer to the adopted fee schedule.

ARTICLE 6. MAJOR SUBDIVISION REQUIRED SUBMITTALS

Section 1. Submittals Required

Any division of land into lots or tracts less than 20 acres in size which does not fall within the classification of an administrative minor subdivision is classified as a major subdivision.

All submittals shall be made to the Christian County Planning and Zoning Department, 202 W. Elm Street, Ozark, Missouri 65721.

Required submittals are as follows:

A. Sketch Plan

1. Five (5) copies of the sketch plan.
2. One (1) copy of the sketch plan submittal form signed by the preparer and applicant(s).
3. The municipalities comment letter if the property lies within the Tier 1, 2 or 3 of the adopted Urban Service Area maps.
4. Application fee as provided by the adopted fee schedule.

B. Preliminary Plat

1. Five (5) copies of the preliminary plat.
2. Five (5) copies of the engineer's report.
3. One (1) copy of the signed preliminary plat submittal form signed by preparer and applicant(s).
4. List of property owners within one thousand (1000) feet of the property boundary.
5. Stamped (postage at the current rate charged by the U.S. Postal Service) and addressed envelopes, containing the notice informing the neighboring property owners within 1000' of the property of the proposed subdivision.
6. Application fee as defined by the adopted fee schedule.
7. Requests for variations to the subdivision regulations, if any.
 - a. If requesting a variation, the request must include the subdivision variation fee as defined by the adopted fee schedule,.

C. Construction Plans for Required Improvements

1. Five (5) copies of the street plans.
2. Five (5) copies of the drainage plans.
3. One (1) copy of the final plat.
4. One (1) copy of the signed construction plan submittal form signed by preparer and applicant (s).
5. **Other Required Plans**

The number of copies to be submitted will be specified by the Planning and Zoning Administrator.

D. Final Plat

1. Three (3) paper copies of the final plat.
2. One (1) copy of the signed final plat submittal form signed by preparer and applicant(s).
3. Application fee (administrative approval) as provided by the adopted fee schedule.
4. After obtaining approval by the Planning and Zoning Department, submit:
 - a. One (1) mylar copy with original signatures, plus
 - b. Three (3) paper copies for recording, addressing, and dissemination.
 - c. One (1) copy in an electronic format acceptable to the Christian County Assessor's Office.
5. Inspection and recording fees, including covenants if required by the County, as determined by the adopted fee schedule.

Section 2. Sketch Plan

The sketch plan is intended to be conceptual in nature and, while accuracy and legibility are essential, the submission of detailed finished plans are discouraged. Rather, the material should provide sufficient information to determine general compliance with zoning, subdivision, and design standard regulations. The sketch plan shall be prepared by a qualified professional in accordance with this article.

- A.** Applicants are encouraged to discuss possible development sites and issues with the Planning and Zoning Administrator and/or staff prior to the submission of a sketch plan.
- B.** The sketch plan may be drawn to an exact or approximate scale. The sketch plan minimum drawing size shall be 24 x 36 inches. The following items shall be included on the sketch plan:
 - 1. Approximate boundary of the property showing approximate dimensions.
 - 2. Location map at a scale of 1" = 2000 feet to the inch showing:
 - a. Section, Township and Range
 - b. Quarter section lines.
 - c. Major roads within and adjacent to the section.
 - d. Major roads and streets labeled.
 - e. Location of subdivision, shaded.
 - 3. Approximate north arrow and scale.
 - 4. Existing topographic and physical features within five hundred (500) feet of the site, including the following:
 - a. Topographic contours at a maximum interval of ten feet.
 - b. Drainage ways and water bodies.
 - c. Floodplains.
 - d. Sinkholes, springs, caves, and other significant karst features.
 - 5. Existing streets on and adjacent to the site including width of rights-of-way.
 - 6. Proposed street layout.
 - 7. Proposed lot layout showing approximate frontage dimension of each lot.

8. Development notes, including the following:
 - a. Current zoning classification.
 - b. Proposed zoning, including minimum lot requirement for the proposed zoning.
 - c. Proposed means of wastewater treatment and disposal.
 - d. Proposed water supply and supplier.
 - e. Other proposed utilities such as electricity, natural gas, etc., and name of supplier.
 9. Name and address of consultant.
- C.** The sketch plan shall be reviewed by the Planning and Zoning Department for the following criteria:
1. Compliance with the Christian County Comprehensive Plan.
 2. Compliance with the Christian County Zoning Regulations.
 3. Basic compliance with the Christian County Subdivision Regulations and Road and Access Standards.
 4. Compliance with regulations and policies concerning environmental factors such as floodplain, drainage ways, downstream flooding, sinkholes, caves, etc as found within the Christian County Stormwater and Erosion Control Regulations and the Floodplain Management Ordinance.
- D.** The Planning and Zoning Administrator may submit the plan for the review and comment of other agencies and departments as is deemed necessary.
- E.** Within fifteen (15) working days after receiving the sketch plan, the Planning and Zoning Administrator shall either approve the sketch plan, or return the sketch plan without approval to the developer with comments stating the reason the plan was not approved.
- F.** The Developer has the right to appeal the Planning and Zoning Administrator’s decision to the Planning and Zoning Commission.
- G.** Appeal of the Planning and Zoning Administrator’s decision must be submitted to the Planning and Zoning Administrator no less than thirty (30) days prior to the regular Planning and Zoning Commission hearing. The appeal must include three (3) copies of the sketch plan and any supplementary materials necessary to document the appeal.

- H.** Fee for Sketch Plan. Refer to the fee schedule established by rule of the Christian County Commission upon the recommendation of the Planning and Zoning Commission for the current fee.

Section 3. Preliminary Plat

The preliminary plat is intended to be the development guide. It is more detailed in nature than the sketch plan and shall provide sufficient information that affirms the development's compliance with zoning, subdivision, and design standard regulations. The preliminary plat shall be prepared in accordance with this article.

A. Submittal of the Preliminary Plat

The preliminary plat and the engineer's report Article 6, Section 1, shall be filed with the Planning and Zoning Department no less than thirty (30) days prior to the regularly scheduled Planning and Zoning Commission hearing.

B. Preliminary Plat Requirements

1. The preliminary plat shall conform to the sketch plan as modified by sketch plan comments.
2. The subdivision layout shall conform to the official thoroughfare plan and other elements of the Comprehensive Plan.
3. The preliminary plat drawing size shall be 24" x 36". To allow a complete drawing on one page the Planning and Zoning Administrator may approve 36" x 48" or larger administratively.
4. The preliminary plat shall be drawn to a convenient scale no greater than one hundred (100) feet to the inch which is an increment of ten (10). To allow a complete drawing on one page the Planning and Zoning Administrator may administratively approve a scale other than increments of ten (10).
5. The following information shall be shown on the preliminary plat:
 - a. Proposed subdivision name located at the top of the plat.
 - b. Name(s) and address(es) of all owners of the tract and the authorized agent(s), if applicable.
 - c. Date of preliminary plat submittal.
 - d. North arrow based upon grid north and graphic scale.
 - e. Property description of area to be preliminary platted based upon boundary survey prepared by a registered land surveyor.

- f. A listing of the following information:
- total acreage of the development
 - total number of lots
 - current zoning
 - proposed land use
 - smallest lot with lot number and area
 - largest lot with lot number and area
- g. Location map at a scale of 1" = 2,000 feet to the inch showing:
1. Section, township, range.
 2. Quarter section lines.
 3. Major roads within and adjacent to section.
 4. Major roads and Streets labeled.
 5. Location of subdivision, shaded.
- h. Property boundary based upon a survey prepared by a registered land surveyor.
- i. Special district boundaries defined by the Zoning Regulations such as floodplains, the Airport Zone and Municipal Urban Service Area overlay districts .
- j. Topographic contours at maximum vertical intervals of ten (10) feet except for steeply sloping land where other intervals may be required as determined by the sketch plan review.
- Source of datum shall be one of the following:
1. National Geodetic Vertical Datum (NGVD) 1929,
 2. North American Vertical Datum 1998,
 3. Missouri Department of Transportation,
 4. Other acceptable and recognized references.
- k. Existing and physical features, including drainage ways and water bodies; sinkholes, springs, caves, other significant karst features; other physical features which may affect the proposed development.
- l. The names of all owners of all immediately adjacent unplatted land and the names of all proposed or existing subdivisions immediately adjacent to the plat boundaries.

- m. The location and dimensions of all street rights-of-way, utility easements, drainage easements, or other easements existing within or adjacent to the tract boundaries, as well as the distance from the centerline of adjacent streets to the plat boundaries.
 - n. The location and dimensions of all existing streets, roads, transportation facilities, utilities, water courses, storm drainage facilities, and other significant features within one hundred (100) feet of any part of the property proposed for subdivision.
 - o. The approximate location and extent of existing structure and tree masses within the property boundaries.
 - p. The full plan of development, including the following information:
 - 1. the location of all proposed streets, roads, rights-of-way, easements, parks, playgrounds, and other public areas and facilities, water supply, wastewater facilities, and proposed lot lines,
 - 2. the approximate dimensions of all lots with lots numbered in an orderly manner,
 - 3. all other areas designated for pertinent facilities, public use or proposed to be dedicated or reserved for future public use. All such areas shall be labeled.
6. Where the preliminary plat covers only a part of the subdivider's entire holdings, a sketch of the proposed future street system of the unsubmitted part shall be furnished. The street system of the submitted part will be considered in light of adjustments and connections with the future streets in the unsubmitted portion.
- C. Fee for Preliminary Plat**

Refer to the fee schedule established by rule of the Christian County Commission upon the recommendation of the Planning and Zoning Commission for the current fee.

Section 4. Engineer’s Report

NOTE: Where maps and schematic plans are required in the engineer’s report, the required information may be shown on the preliminary plat if the necessary level of detail can be clearly shown.

A report signed and sealed by a registered engineer shall be submitted with the preliminary plat. The report shall include the following items:

A. Stormwater Drainage

1. Drainage basin map(s) showing site boundary and off-site drainage areas upstream of the site.
2. A tabulation of the drainage area and estimated peak flow for each off-site area draining onto the site. Peak flows shall be estimated assuming fully developed conditions in the drainage basin.
3. A schematic layout of the proposed stormwater drainage system including proposed modifications to floodplains or floodways, detention facilities, drainage channels, storm drains, location of inlets, and other principal components of the proposed drainage system.
4. A brief narrative of the proposed stormwater management plan, including a schematic layout of the sediment and erosion control measures and best management practices (BMPs) to be utilized for stormwater quality, where required.
5. Location and size of drainage structures or constrictions located within five hundred (500) feet [downstream] of the site. Location and size of structure greater than five hundred (500) feet from the site may be required if they can reasonably be expected to affect the site.
6. **Detention**
 - a. identify downstream areas with flooding problems (to a point where additional runoff from the development no longer can be expected to have a significant impact).
 - b. preliminary storage volume computations.

B. Water Supply and Supplier

1. **Public Supply** – Identify the water supplier and state any limitations which the supplier may have in serving the proposed development including fire protection needs, if applicable.

2. **Private Supply** – If wells are proposed, the type of wells proposed as described in 10 CSR 23-1.030 shall be specified. The approximate location of non-community and community wells and a schematic plan of the proposed distribution system shall be shown on the preliminary plat. Proposed plans for using shared private wells shall be described.
- C. Type of gas supply and name, address and telephone number of supplier, if applicable. Where propane tanks are proposed on individual lots, it is not necessary to name the supplier.
- D. Electrical supply and name, address and telephone number of supplier.
- E. Name, address and telephone number of telephone, cable television and other proposed utility suppliers.
- F. **Wastewater Disposal**
 1. Subdivision that are not serviced by a public sewer collection system and are fifteen (15) lots or greater in size shall be reviewed by the Missouri Department of Natural Resources. An engineer's report shall be submitted to the Department of Natural Resources, as required by State regulations. The engineer's report must be approved by the Department of Natural Resources and received by the Planning and Zoning Department prior to the study session of the Planning and Zoning Commission.
 2. Subdivisions that are not serviced by a public sewer collection system and are fourteen (14) lots in size or less are not required to be reviewed by the Missouri Department of Natural Resources. These subdivisions shall include, at a minimum, the following information within the engineer's report that is submitted to the Christian County Planning and Zoning Department.
 - a. A map showing soil types as shown on the USDA Soil Survey for Christian County, Missouri superimposed on the site plan.
 - b. A listing of soil types occurring on the site along with limitations noted in the soil survey.
 - c. Location of any soil pits or boring which have been taken on the site, along with the logs and description of the findings.

NOTE: Where the soil survey indicates particularly severe conditions, the Department may require that soil pits be taken on all or any portion of the proposed lots before the preliminary plat can be recommended for approval.

- d. A map showing the underlying geologic formation(s) superimposed on the site plan.
- e. A map showing the location of any existing private or abandoned wells within one hundred (100) feet of the site, and any public wells within three hundred (300) feet of the site.
- f. A brief narrative describing the limitations of the site and measures proposed to address the limitations, such as setbacks from sinkholes, faults, etc. and possible alternative on-site wastewater treatment systems.

G. Traffic Analysis / Street Capacity.

- 1. Estimated trips per day for each outlet from the proposed developments in vehicles per day must be stated.
- 2. The types of traffic expected and the effects on the existing roads must be described.
- 3. The traffic investigation must extend from the development to the nearest arterial. Existing traffic counts may be estimated from a study of the area served by the subject road, or by actually counting vehicles consistent with good engineering practice.
- 4. The proposed and existing road system must be evaluated as to its capacity. Off site improvements may be required by the Planning and Zoning Commission depending on effects that additional traffic from the development will have on the existing adjacent road system.
- 5. Each proposed street must be listed by name and classification. The proposed right-of-way and design specifications must also be listed.

H. A copy of the preliminary plat reduced to 8-1/2” X 11” sheet size.

I. Planning Data:

- 1. Area of development utilized by road right-of-way.
- 2. Area of development dedicated to open space.
- 3. Development density excluding right-of-way.
- 4. Area of the smallest lot.
- 5. Area of the largest lot.
- 6. Schematic diagram showing significant natural features such as a stand of trees, sinkholes, rock outcroppings, springs, etc.

Section 5. Final Plat

A. Final Plat Requirements

1. The final plat shall be drawn to a convenient scale no greater than one hundred (100) feet to the inch or less than ten (10) feet to the inch. The scale used for the plat shall be an increment of ten (10). The use of other scales must be approved by the Planning and Zoning Administrator.
2. Final plat sheet size shall be 24” X 36” inches. If the final plat is drawn on more than one (1) sheet, a key map showing the location of the various sections shall be placed on each sheet. More than one (1) sheet for the final plat must be approved by the Planning and Zoning Administrator.
3. When the name of the final plat is different from that of the approved preliminary plat, the preliminary plat name shall be shown on the final plat.
4. State Plane Coordinate requirements. The property being subdivided shall be tied to the Geographic Reference System of Christian County, Missouri, based on the Missouri Coordinate System of 1983, Central Zone. The final plat shall show state plane coordinates on all controlling corners of the parent tract boundary being subdivided, either directly or by means of a table. Determination of state plane coordinates and the publication of same shall comply with 4 CSR 30-16.050.

5. The following information shall be shown on the final plat:
 - a. Name of the subdivision. The name shall not duplicate the name of any existing subdivision as recorded in the Christian County Registry
 - b. Date of plat submittal.
 - c. Name(s) and address(es) of owner and developer(s).
 - d. Prominent north arrow based on grid north.
 - e. A listing of the following information:
 - total acreage of the development
 - the acreage of each isolated portion, if applicable
 - total numbers of lots
 - area and number of the smallest lot
 - area and number of the largest lot
 - zoning district(s) (full district title – ex: R-1 Suburban Residence District)
 - date preliminary plat was approved *
 - Book and page number of the source of title to the property as contained in the records of the Recorder of Deeds.

* on a replat use the date the final plat was recorded
 - f. Lot numbers in consecutive order, with reasonable continuity between blocks. Where preliminary plats are recorded in phases, lot numbers shall begin with lot number one (1) in each phase.
 - g. Multiple phase subdivisions shall be named in succession, i.e. 1st addition, 2nd addition, etcetera.
 - h. Dimensions for all lot lines. Bearings for all lot lines except where lots are parallel with the centerline of adjoining streets or a series of lot lines are parallel with one another. It will be assumed that street centerline and lot lines are same bearing unless specifically noted otherwise.

Dimensions shall be shown to the nearest one-one-hundredth (1/100) of a foot. Bearings shall be shown to the nearest second of arc. Bearings shall be based upon grid north as established by the Missouri Coordinate System of 1983, Central Zone.
 - i. Ownership of all unplatted land immediately adjacent to the development.

- j. Names of all adjoining platted subdivisions.
- k. Lot lines and lot numbers for adjoining platted lots. Broken or half tone lines shall be used.
- l. Location map at a scale of 1" = 2,000 feet to the inch.
 - 1. section, township, range
 - 2. quarter section lines
 - 3. major roads within and adjacent to section
 - 4. major roads and streets labeled
 - 5. location of subdivision, shaded
- m. Total width of existing rights-of-way and dimension from right-of-way line to centerline of right-of-way.
- n. Width of any additional right-of-way to be dedicated.
- o. Dimensions of existing or proposed easements or other land to be dedicated to the public or community use.
- p. Boundary lines with dimensions and bearings which provide a survey of the tract in compliance with the standards as set forth by the State of Missouri.
- q. Location of all existing and recorded streets and road rights-of-way that intersect the tract boundaries.
- r. Complete curve data for all curves included in the plat including radius, central angle, tangent, arc length, long chord length and long chord bearing.
- s. Street centerlines with dimensions and bearings.
- t. Street names and right-of-way. Right-of-way widths must conform with the Christian County Road and Access Standards. Street names shall comply with the 9-1-1 addressing network.
- u. Location, description, and reference datum for at least one permanent benchmark, on or near site.
- v. Location of all permanent and semi-permanent monuments, including material, type and surveyor's registration number. (Notes regarding location and elevation acceptable.)
- w. All required easements labeled as to their intended purpose.

- x. Right-of-way triangles for street intersections.
 - y. All building setback lines. Side and rear setbacks may be defined by note for residence or principle structure. Any other special setback as required by the Planning and Zoning Department shall also be shown.
 - z. Limits of all special districts such as overlay zones or the one hundred (100) year floodplain.
 - aa. Minimum floor elevations for lots adjacent to drainage easements. Floor elevations shall be based upon the referenced subdivision benchmark and shall be shown in a table labeled “Minimum floor elevations for stormwater”. The surveyor may add the following note: “These elevations are shown as required by Christian County and provided by...(insert name of registered engineer) who determined the elevations.”
 - bb. Minimum floor elevations for gravity sanitary sewer service where required by the municipality.
 - cc. Any amendments required by the Planning and Zoning Commission.
 - dd. Notes: Please refer to the Appendix for examples which can be modified as necessary
6. The following certificates, where applicable, shall be shown on the plat: (Please refer to appendix for examples which may be modified as necessary.)
- a. Surveyor’s Declaration, with seal, by a registered land surveyor to the effect that the survey and plat are accurate. (See Appendix)
 - b. All owners of property that are included within the plat shall sign the final plat.
 - c. A Statement of Dedication creating the subdivision and dedicating the streets; easements for their intended purpose; other common areas; and acknowledgment of the same. (See Appendix)
 - d. Certificate of Approval by Executive Secretary of the Planning and Zoning Commission. (See Appendix)
 - e. Acknowledgment of Notary Public with name printed under signature.

- f. Dual jurisdiction plats. In the event a portion of a plat is within the corporate boundaries of a city, town, or village within Christian County, a statement of approval from the city, town, or village will be required.
7. The final plat will be accompanied by:
 - a. Restrictive covenants governing the use and maintenance of all common areas, improvements, and facilities if applicable, in a form acceptable to the Christian County Counselor.
 - b. A security agreement (see Appendix B for standard agreement) executed by a state or federally chartered bank of savings and loan, a corporate surety which shall:
 1. Run or be made payable to the County.
 2. Be in an amount determined by the County, based upon the recommendation of Highway Administrator and Planning and Zoning Administrator to be sufficient to complete the improvements and installation in compliance with these regulations.
 3. Specify the time for the completion of the required improvements. Such time shall be satisfactory to the County. When the improvements have been completed and approved by the County, the guarantee shall be released and returned. When a portion of the required improvements have been completed and approved by the County, a portion of the bond commensurate with the cost of the improvement may be released and returned. The County may require engineer's certification or other inspection and certification necessary to satisfy the County that the improvements have been constructed substantially in accordance with plans and specifications.

B. Fee for the Final Plat

Refer to the fee schedule established by rule of the Christian County Commission upon the recommendation of the Planning and Zoning Commission for the current fee.

ARTICLE 7. Plat Approval Process

Section 1. Preliminary Plat Approval

A. Planning and Zoning Commission Review

1. The Planning and Zoning Commission will review the preliminary plat to determine if it meets the standards as set forth in these regulations. The Planning and Zoning Commission may also discuss the plan with appropriate officials of municipalities nearest to the subdivision. The Planning and Zoning Commission may table the preliminary plat to their next scheduled meeting but shall not table for a longer period except upon request of the developer.

2. Preliminary Approval

a. After the Planning and Zoning Commission has reviewed the preliminary plat, the report of the Planning and Zoning Administrator of Christian County, any municipal protests or recommendations, testimony and exhibits submitted at the public hearing, the applicant shall be advised of any required amendments. The Planning and Zoning Commission shall approve, amend, or deny the preliminary plat at the regular meeting of the Planning and Zoning Commission. The Planning and Zoning Administrator shall specify in writing to the developer or developers legal agent, the action taken by the Planning and Zoning Commission including any amendments which will be required prior to filing a final plat, or the reasons for denial.

b. **Public Improvements** – The Planning and Zoning Commission may require that all public improvements be installed and dedicated prior to the recording of the plat. If the Planning and Zoning Commission does not require that all public improvements be installed and dedicated prior to signing of the subdivision plat by the Planning and Zoning Administrator of Christian County, the developer shall establish a bond to guarantee the completion of the required improvements per the requirements of the Security for Public Improvements Section of the Christian County Road and Access Standards.

Section 2. Preliminary Plat Appeal of Denial

- A.** In the event the Planning and Zoning Commission does not approve the request for a preliminary plat, the applicant may appeal to the Board of Adjustment for approval.
- B.** Within thirty (30) days after the denial of a preliminary plat, the owner/applicant and/or representative shall submit a written request appealing the denial to the Board of Adjustment to the Planning and Zoning Administrator, requesting to be placed on the next available Board of Adjustment agenda. Submittal deadlines shall comply with calendar of submittals for public hearings.
- C.** The applicant and/or representative must be present to provide testimony and answer questions with regard to the appeal.
- D.** Applicant’s appeal shall contain clear and concise language and the preliminary plat and any easements or other encumbrances of record.
- E.** The Board of Adjustment shall hold a public hearing on the preliminary plat and shall review any recommendations from agencies or officials, testimony and exhibits submitted at the previous public hearing.
 - 1. If approved, the Board of Adjustment shall express its approval and state the conditions of approval, if any, and instruct the Planning and Zoning Administrator to follow final plat procedures culminating in the recording of the final plat when all requirements have been met.
 - 2. If denied, the Board of Adjustment shall express its disapproval and its reasons therefore and instruct the Planning and Zoning Administrator to notify applicant of the Commission’s determinations.
 - 3. In any case, a notation of the action taken and the reason therefore shall be entered into the records of the Board of Adjustment.
- F.** If approved by the Board of Adjustment, the Planning and Zoning Administrator shall follow all final plat procedures before the plat can be recorded.
- G.** If the request is disapproved, the applicant may appeal to the Circuit Court within ninety (90) days after the Board of Adjustment action.
- H.** Fee for appeal of denial of preliminary plat.

Refer to fee schedule adopted by the Christian County Planning and Zoning Commission for current fee.

Section 3. Construction Plans

- A.** Construction plans for all required improvements must be completed and approved by the various agencies having jurisdiction before the final plat can be recorded.
- B.** All construction plans shall initially be submitted to the Planning and Zoning Department. The Planning and Zoning Department shall distribute the plans to the appropriate reviewing agency. After comments are received from the reviewing agencies, revised plans may be re-submitted directly to the reviewing agency.
- C.** The reviewing agency shall notify the Planning and Zoning Administrator in writing when the construction plans have been approved.
- D.** Street and road plans shall meet the requirements of the Christian County Road and Access Standards and must be approved by the appropriate Christian County or Special Road District.
- E.** The sanitary sewer plans shall meet the requirements of the municipality providing sewer service to the development and shall be reviewed and approved as prescribed by the municipality.
- F.** Grading, sediment and erosion control plans, and stormwater drainage plans shall meet the requirements of the Christian County Stormwater and Erosion Control Regulations, the Christian County Road and Access Standards and the Zoning Regulations and shall be approved by the Christian County Engineer.

Section 4. Final Plat Approval

- A.** The final plat shall substantially conform to the approved preliminary plat.
- B.** The final plat shall be submitted to the Planning and Zoning Department for approval and subsequent recording.
- C.** The Administrator may either approve the final plat, require changes in writing, or refer the final plat to the Planning and Zoning Commission. Required changes shall be forwarded to both the developer and surveyor in writing. (See Section 5 for final plat review procedures.)
- D.** The developer has the right to appeal the Administrator’s decision to the Planning and Zoning Commission. The appeal must be filed thirty (30) days prior to the regular Planning and Zoning Commission hearing.
- E.** A final plat must be recorded within two (2) years of the date of approval of the preliminary plat. The final plat may be submitted in phases with each phase covering a portion of the approved preliminary plat. If the final plat is submitted in successive phases the developer will have one year after each phase to record the final plat for the next phase.
- F.** The Planning and Zoning Commission in its discretion may grant an extension of the time for plat submission if it finds that the conditions on which the preliminary plat was approved have not changed substantially. The Planning and Zoning Commission may require changes in the final plat to reflect changes in the regulations or changes in factors upon which the approval of the preliminary plat was based.

Section 5. Final Plat Review Procedure

- A.** Three (3) paper copies (Refer to Article 6, Section 1)
- B.** County’s submittal form.
- C.** Administrative review fee. All other fees paid upon approval for mylar submittal. Replats – also submit recording fee.
- D. Review of Plat**
 - 1. The department will distribute the plat to various governmental and utility companies for comment.
 - 2. The department staff will review for compliance with the Subdivision Regulations.
 - 3. Reviews will be sent via fax, e-mail or mail to owner(s) / developer(s) and consultant.
 - 4. Consultant is to resubmit three (3) paper copies of the plat reflecting the required changes. The Department will re-review the plat and notify owner(s) / developer(s) and consultant of any additional changes required.
 - 5. When the plat is found to be in conformance with all requirements of all reviews, the owner(s) / developer (s) and consultant are notified that they may submit one (1) mylar copy and three (3) paper copies.
 - 6. Before a plat may be recorded, all real estate taxes due on December 31st of prior calendar year (assessment year) must be paid. The certificate must be signed by the Christian County Collector of Revenue before the plat can be recorded.
- E.** To record a plat prior to the acceptance of all public improvements the developer shall either install all of the required improvements or establish a Performance Bond and a Maintenance Bond from a qualified insurance or bonding company to guarantee the cost for the completion of the required public improvements per the requirements of the *Security for Public Improvements* Section of the Christian County Road and Access Standards.
- F.** Covenants shall be required for subdivisions which have common area(s) and shall be approved by the Christian County Counselor prior to the recording of the subdivision plat.

Section 6. Replatting

- A.** A replat shall follow the same procedures as a final plat.
- B.** A replat shall be required in order to change any feature on a subdivision lot including, but not limited to
 - 1. an easement,
 - 2. setback line,
 - 3. lot line,
 - 4. increase / decrease number of lots.

It is anticipated that recently recorded final plats will have an approximate fifteen (15) day review time.

- C.** A replat which creates more than three (3) tracts shall require review as a new plat.
- D.** A replat which requires construction of public improvements including, but not limited to
 - 1. roads,
 - 2. sewer mains,
 - 3. gas / water / electric main distribution lines,

is subject to inspection fees as provided in the adopted fee schedule for such services.

- E.** Replats may reference recorded lot numbers within the subdivision or may utilize a boundary survey.
- F.** Fee for replat.

Refer to fee schedule adopted by the Christian County Planning and Zoning Commission for current fee.

Section 7. Lot Splits

- A.** Lot splits and / or re-assembly of a lot or lots shall be filed as replats.
- B.** Lot split(s) in recorded subdivisions may reference recorded lot number(s) or may utilize a boundary survey.

Section 8. Planned Unit Developments

- A.** In the case of Planned Unit Developments (PUD) which are approved by the Planning and Zoning Commission and the County Commission in accordance with the provisions of the Christian County Zoning Order, the submittal procedures for sketch plan, preliminary plat, and final plat must be followed. The Planning and Zoning Commission may grant such amendments as are necessary in the final plat to accomplish the purposes of the approved PUD.

- B.** With the approval of the overall development plan during public hearing, the Planning and Zoning Commission and the County Commission may grant such variances and / or amendments to the subdivision regulations as deemed appropriate to accomplish the purposes of the Planned Unit Development . Variances may include but are not limited to width of streets, length of cul-de-sacs, location of sidewalks, lot sizes, etcetera.

ARTICLE 8. VARIATIONS and EXCEPTIONS

Section 1. General

Where the Planning and Zoning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations, it may approve variations or exceptions to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variation or exception shall not have the effect of nullifying the intent and purpose of these regulations; and further provided, the Planning and Zoning Commission shall not recommend variations unless it shall make findings based upon the evidence presented to it in each specific case that:

- A.** The granting of the variation will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the neighborhood in which the property is located;
- B.** The conditions upon which the request for a variation is based are unique to the property for which the variation is sought, and are not applicable generally to other property;
- C.** Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;
- D.** The variation will not in any manner vary the provisions of the Zoning Order or Comprehensive Plan and will not be in conflict with the intent of the Subdivision Regulations.

Section 2. Conditions

In recommending variations and exceptions, the Planning and Zoning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations.

Section 3. Procedures

A petition for any such variation shall be submitted in writing by the subdivider at the time when the preliminary plat is filed for the consideration of the Planning and Zoning Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

ARTICLE 9. REQUIRED IMPROVEMENTS

Section 1. Monuments and Markers for Major Subdivision (more than three (3) lots)

- A.** Monuments shall be placed in accordance with State of Missouri minimum standards for property boundary surveys.

Section 2. Streets

- A.** Unless otherwise approved by the Planning and Zoning Commission, all streets shall be public streets.
- B.** Public streets shall be designed and constructed in accordance with the Christian County Road and Access Standards.
- C.** The street layout shall conform to the Christian County Comprehensive Plan and the Christian County Road and Access Standards.
- D.** Where the proposed subdivision adjoins an existing County road, additional right-of-way shall be dedicated on the final plat. The width of the additional right-of-way shall be determined per the requirements of the Christian County Road and Access Standards.
- E.** Whenever a tract to be subdivided includes any part of a highway, freeway, expressway, arterial, or secondary arterial street for which a definite route and right-of-way plan have been determined and approved by the County Commission or the Missouri Department of Transportation (MoDot), the right-of-way of such public way as may be located within or adjacent to the proposed subdivision shall be reserved by the developer for acquisition by the County or Missouri Department of Transportation in the location and at the width as shown on the approved plan for acquisition by the County or State.
 - 1. Dedication shall be from the existing center of the road right-of-way.
 - 2. When the road is an integral part of or necessary for access to the subdivision, the right-of-way and road construction shall be the developers' responsibility.
- F.** Streets are a major part of the local transportation system and as such they need to provide connections. When considering the extension of roads, sidewalks and other modes of travel, connections for pedestrians as well as cars must also be considered. A good interconnected transportation system will allow good movement throughout the community and increase the livability of the community.

There are several principles and concepts presented in the Christian County Comprehensive Plan that must be considered with respect to requiring local streets, collectors, or higher status roads provide access to adjacent properties. The following are requirements to insure a good transportation system.

1. Collector or higher status roads must be extended to adjacent properties. These major roads are the backbone of the transportation system and are needed to serve the community not just the needs of one or two subdivisions. The classification of streets is listed in the Christian County Road and Access Standards.
2. Local streets should provide connection in the four cardinal directions, i.e., north, south, east, and west. Local streets are necessary to allow goods and services to be delivered to residents or businesses, as well as provide access for emergency vehicles and other essential services. The exact location of these local streets will need to be adjusted to take into consideration such things as topography, floodplain, sinkholes, and other natural and man made obstacles.
3. Where a bridge is to be constructed, additional right-of-way may be required.
4. Connection to existing streets that would provide access from adjacent developments must be made to insure that the transportation system is not interrupted.
5. Adjacent property must not be land locked by not providing access.
6. The following are exceptions or factors that may allow deviation from the above criteria. These exceptions will be reviewed by Staff with the developer, and the access requirement(s) for each subdivision will be determined by this review.
 - a. Local streets should not be extended where it will result in streets that cannot reasonably meet Christian County Road and Access Standards for grades, sight distance, etcetera.
 - b. Local streets shall not be extended to the right-of-way of limited access thoroughfares.
 - c. Local streets, collectors and higher classification roads should not be extended across significant natural or

environmental features as identified by the Christian County Comprehensive Plan.

- d. Local streets, collectors and higher classification roads should not be extended to public owned land unless needed for circulation on the public land.
 - e. Extension of streets or dedication of right-of-way should not be required when it is highly unlikely the street will ever be built.
7. Half streets are prohibited except where required in order to complete an existing half street.
8. **Street Names**
- a. Proposed streets which are continuations of, or in alignment with, existing named streets shall bear the names of such existing streets, unless otherwise approved by the County Commission.
 - b. The name of a proposed street which is not in alignment with an existing street shall not duplicate the name of any existing or platted street.
 - c. All names of streets proposed by the developer shall be approved or disapproved by the County Commission in accordance with this Resolution. The developer shall submit three proposed names for each street.
9. **Private Streets**
- a. Private streets shall be permitted only with the approval of the County Commission.
 - b. Where private streets are permitted, the restrictive covenants must contain provisions to assure maintenance of the streets, sidewalks, and other common improvements. Restrictive covenants must be approved by the Planning and Zoning Administrator and must be recorded with the final plat.
 - c. Only local streets may be designated as private streets.
 - d. Private streets shall be constructed in accordance with Christian County Road and Access Standards. Any private street located within an ingress / egress / utility and drainage easement shall have the same width as the right-of-way provided for local streets in the Christian County Road and Access Standards.

- e. A sign shall be provided at the connection of the private street with any public street or road to notify the public that the street is privately owned and maintained. Signs shall comply with requirements set forth in the Christian County Road and Access Standards. Signs shall be provided at the developer’s expense but shall be installed by the applicable County or Special Road District.

10. Private Drives

- a. A private drive, exempt from standards for public streets, may be utilized by no more than three tracts without public road frontage (administrative minor subdivision only).
- b. A private drive that serves more than one lot must have a sign that meets the requirements of the County Commission. Signs shall be paid for by the developer but shall be installed by the applicable Christian County or Special Road District.
- c. The Christian County or applicable Special Road District must review proposals that directly access any County roads.

Section 3. Wastewater Disposal

- A. Subdivisions proposed with lots, any of which contain less than three (3) acres shall be connected to a public sewer collection system.
- B. Wastewater disposal systems shall be provided in accordance with the approved engineering report and where applicable a construction permit must be obtained from the Missouri Department of Natural Resources.

Section 4. Water Supply

- A. The subdivision shall be provided with a complete water supply and distribution system connected to a municipal water supply, public water supply district, community water supply or a single well and distribution system meeting the requirements of the Missouri Department of Natural Resources and Missouri Department of Health.
- B. Where the water supply is adequate for use with fire hydrants, fire hydrants shall be required at intervals no greater than six hundred (600) feet.

Section 5. Storm Drainage

A. Storm Drainage System

Subdivisions shall be provided with a storm drainage system consisting of natural watercourses, constructed drainage channels, storm drain inlets and piping, bridges and culverts, capable of:

1. Conveying stormwater runoff through the subdivision without unreasonable risk of damage to structures, roads and utilities due to inundation by floodwaters or erosion of the soil by floodwaters;
2. Maintaining a reasonable depth of floodwaters in public streets and roads in order to provide for the general safety of the public, to minimize disruption of traffic flow, and to provide for movement of emergency vehicles during periods of stormwater runoff.

B. Stormwater Detention

Construction of buildings, parking lots, and other impervious surfaces results in an increase in both the rate and volume of runoff, which may create harmful effects on properties downstream. In order to minimize these effects, stormwater detention may be required and shall be designed in accordance with the Christian County Stormwater and Erosion Control Regulations.

C. Erosion and Sediment Control

Measures shall be provided to minimize erosion and discharge of sediment through the design of erosion and sediment controls designed in accordance with the Christian County Stormwater and Erosion Control Regulations.

D. Best Management Practices for Water Quality Protection

Best Management Practices (BMPs) for water quality protection shall be provided in watersheds as required by the County. Water quality protection measures shall be designed in accordance with the Christian County Stormwater and Erosion Control Regulations.

- E.** Drainage easements shall be provided encompassing all land inundated by the runoff from a storm having a 100-year recurrence interval under fully developed conditions.

All components of the storm drainage system, including detention basins, shall be contained in a drainage easement. The minimum width of drainage easements shall be in accordance with the Christian County Stormwater and Erosion Control Regulations.

Section 6. Street Signs

- A.** Street name signs shall meet the requirements of the Christian County Road and Access Standards.
- B.** Public and private street name signs shall meet the requirements of the Christian County Road and Access Standards. Road names must be approved by the Christian County Commission.
- C.** Street signs will be installed by the applicable Christian County or Special Road District at the expense of the developer. The cost of signs will be the County's or Special Road District's actual cost and will be established by the applicable Christian County or Special Road District .

Section 7. Security for Public Improvements

Installation of required public improvements in a development or any phase of a development shall be required or guaranteed by any one of the following methods:

- A.** The developer must install all of the required improvements prior to the approval and subsequent recording of a final plat.
- B.** The planning and zoning commission shall require that all public improvements be installed and dedicated prior to the Planning and Zoning Administrator authorizing the recording of the final plat.
- C. Security for Public Improvements**

In cases when, because of weather conditions or other factors beyond the control of the permit recipient (exclusive of financial hardship), the Planning and Zoning Commission determines it would be unreasonable to require the permit recipient to comply with all of the requirements of these Regulations with respect to the installation and dedication of all public improvements before the filing of the final plat the permit recipient must establish a suitable security per the provisions of the Christian County Road and Access Standards.

Section 8. Maintenance

The recipient of any permit, or his successor, shall be responsible for maintaining all common areas, improvements, or facilities required by either these Regulations or the Christian County Road and Access Standards, except those areas, improvements, or facilities with respect to which an offer of dedication to the public has been accepted by the appropriate public authority. As illustrations, and without limiting the generality of the foregoing, this means that private roads and parking areas, stormwater detention basins and drainage easements, water and sewer lines, and recreational facilities must be properly maintained so that they can be used in the manner intended, and required vegetation and trees used for screening, landscaping, or shading must be replaced if they die or are destroyed. If common open space, common improvements, stormwater detention basins, drainage easements, or any streets or roads are not dedicated to and accepted for public use by the County Commission, they shall be protected by legal arrangements, such as restrictive covenants recorded in the Christian County Recorder of Deeds Office, in the form acceptable to the County Commission and County Counselor sufficient to assure their maintenance and preservation by a homeowner's association for whatever purpose they are intended. Covenants or other legal arrangements shall specify ownership of the common space and common improvements shall be in a homeowner's association, the method of maintenance, responsibility for maintenance; maintenance assessment, taxes and insurance, guarantees that any association formed to own and maintain common open space and common improvements will not be dissolved without the prior consent of the County, and any other specifications deemed necessary by the Planning and Zoning Commission and County Counselor.

- A. The developer shall execute a suitable security in favor of and acceptable to Christian County which guarantees that all required improvements will be properly maintained during the maintenance period, prior to final acceptance by either the Christian County Commission or the applicable Special Road District per the provisions of the Christian County Road and Access Standards.

Section 9. Acceptance of Improvements

- A. Improvements shall be constructed in accordance with the approved plans and specifications.
- B. Upon completion of the improvements and written approval by the Christian County Engineer for road and paving improvements located in public road rights-of-way or private road easements and for drainage improvements located on public or private property; and owners of the various utility services provided in the subdivision, the developer shall petition the County Commission for acceptance of the public improvements.
- C. County maintenance of public streets shall commence only after acceptance by the County Commission.

- D.** Record plans and electronic media copy of design plans in a format acceptable to the Planning and Zoning Administrator shall be filed with the Administrator prior to acceptance of the improvements by the County Commission.

ARTICLE 10. SUBDIVISION DESIGN CRITERIA

Section 1. Compliance with the Road and Access Standards and the Comprehensive Plan

- A.** The subdivision layout shall conform to both the requirements of the Christian County Road and Access Standards and the Comprehensive Plan. Wherever a tract to be subdivided embraces any part of a highway, arterial or collector street so designated on site plan, such part of such public way shall be platted by developer in the location and at the width indicated in the plan.

Section 2. Streets

A. General

1. New streets shall be considered in their relation to existing platted or planned streets, to topographical conditions, to public convenience and safety, and to the proposed uses of land to be served by the proposed streets.
2. Local streets shall be designed so as to encourage traffic calming through residential neighborhoods. Collector and higher classification streets must be designed to meet maximum traffic movement.
3. Extension and / or continuation of arterial and collector streets into and from adjoining properties.
4. Access to abutting properties should be required. The Planning and Zoning staff will review all available data relating to a proposal and determine all street / road extensions to adjacent undeveloped properties.
5. The distance between center lines of streets opening into the opposite sides of an existing or proposed street shall be not less than one hundred fifty (150) feet for local residential or as dictated by the Christian County Road and Access Standards, depending upon street classification.

B. Cul-de-sacs

1. Cul-de-sacs shall be permitted only on local residential and commercial streets.
2. Cul-de-sacs shall be designed in accordance with the Christian County Road and Access Standards.

C. Alignment

1. Horizontal and vertical alignment of streets shall be designed in accordance with the Christian County Road and Access Standards.
 - a. Minimum right-of-way widths and width of paving shall be as specified in the Christian County Road and Access Standards.
 - b. Additional street right-of-way widths may be required by the Planning and Zoning Commission or by the Planning and Zoning Administrator on Administrative Minor Subdivisions.
 1. The subdivision fronts on a street which is presently below the minimum street width standards established either in the Christian County Road and Access Standards or herein.
 2. Increased street width standards are required by the Christian County Comprehensive Plan or Major Thoroughfare Plan.

D. Street Paving

1. Street pavement thickness, design, criteria, and material specifications shall be as set forth in the Christian County Road and Access Standards.

E. Street Intersections

1. Intersections involving the junction of more than two (2) streets shall be prohibited.
2. Street intersections shall be designed in accordance with the Christian County Road and Access Standards.
3. Additional right-of-way shall be provided at street intersections as specified in the Christian County Road and Access Standards.

Section 3. Lots

- A.** Lots sizes and building setback requirements shall conform to the minimum standards established in the Christian County Zoning Regulations.
- B.** Double frontage lots will not be permitted to have vehicular access from rear of lot.
 - 1. Where the second frontage is on a limited access street, the developer is to physically limit access by the provision of berms, fencing, plantings, or other similar provisions.
 - 2. The driveway for corner lot access cannot be on a limited access street, but if both streets are local residential, the access can be from either or both streets. The address assigned to the lot will be from the front of the lot (if not specified on a plat). No driveways that are continuous from the location residential street on one side of the lot, across the lot to the other residential street shall be permitted.
- C.** No lot shall be reduced beyond the minimum frontage required by either the Christian County Subdivision Regulations or the Christian County Zoning Regulations.
- D.** Single family and duplex lots shall not be designed to front on collector or higher classification of street.
 - 1. Driveways shall not directly access a collector or higher classification of street.
- E.** Lots designed for multi-family, commercial or industrial use shall have limited entrances onto collector and arterial streets. Cross access easements or other provisions for access to limited entrances shall be provided to minimize interference with through traffic.
- F.** Side lot lines shall be at approximately right angles or radial to street lines.
- G.** All land included within the plat boundary shall be designated as a (1) a lot, (2) dedicated to and accepted by the governmental authority, (3) or designated for a particular use with covenants approved by the Christian County Counselor to insure continued maintenance.
- H.** The side yard requirements for corner lots adjacent to the street shall be one-half (1/2) of the required front yard setback but in no case less than fifteen (15) feet. When the lot to the rear of the corner lot fronts a street which is adjacent to a side property line of the corner lot, then the required side yard setback of the corner lot from the adjacent street shall be not less than one-half (1/2) of the existing or required front yard

of the lot to the rear of the corner lot, whichever is lesser.

Section 4. Easements and Alleys

- A.** An ingress / egress easement with a minimum width of twenty-five (25) feet shall be recorded should said easement serve one tract of land. An ingress / egress easement with a minimum width of fifty (50) feet shall be recorded should said easement serve two or three tracts of land.
 - 1. These easements should generally be centered on or adjacent to lot lines.
- B.** Alleys may be provided to give access to the rear of all lots in commercial and industrial zoning districts. Alleys shall not be provided in residential subdivisions.
- C.** Drainage easements shall be required as stated in Article 9, Section 5, E.
- D.** Utility easements shall be labeled as to their usage on all recorded documents. Utilities include but are not limited to sewer, gas, water, electrical, communications.
- E.** Miscellaneous easements such as sign, conservation, greenway, recreation, and environmental easements will be designated as desired and / or required.
- F.** Sanitary sewer and utility easements shall extend where necessary to adjacent properties.

Section 5. Linear Park (Greenway) Trails and Pedestrian Access

A. Linear Park Trail Easement Dedication

The Planning and Zoning Commission may require a subdivider to dedicate a minimum thirty (30) foot wide easement for the provision of a linear park trail whenever such a trail is intended to be incorporated into a greenway or linear park trail as identified by the Christian County Comprehensive Plan. New linear park trail easements shall generally follow the alignment identified in the Christian County Comprehensive Plan and / or be located within the subdivision in such a manner that they align with previously established easement(s) on adjacent sites.

B. Walkway Access to Linear Park Trails

Where a linear park trail identified in the Christian County Comprehensive Plan is to be located within a subdivision, or on an adjacent parcel, the Planning and Zoning Commission may require the subdivider to provide pedestrian access to the planned or existing trail.

1. Where a linear park trail does not yet exist, and a funding source for the construction of such trail has not yet been identified, the subdivider may be required to provide a minimum fifteen (15) foot wide pedestrian access easement between the road right-of-way and the linear park trail easement.
2. Where the linear park trail exists or has an identified funding source for construction, the subdivider may be required to provide a minimum fifteen (15) foot wide pedestrian access easement, containing a minimum six (6) foot wide walkway, between the street right-of-way and the linear park trail.
3. The Planning and Zoning Commission may require additional walkways and pedestrian access easement connecting street rights-of-way within a subdivision to each other, or to a proposed or existing linear park trail, where the layout or size of such subdivision does not provide sufficient access between the linear park and all subdivision lots.

C. Walkways

Walkways may be required by the Planning and Zoning Commission in the following instances:

1. Whenever a proposed or existing block exceed thirteen hundred and twenty (1320) feet in length;
2. To provide access to a school, park or other public facility.
3. To provide access to a linear park trail in accordance with this article.
4. To provide access to existing or future adjacent streets, residential developments, or shopping or employment centers.
5. Walkways shall be located within a minimum fifteen (15) foot wide pedestrian access easement and shall adhere to the standards for design of sidewalks except, that walkways shall not be less than six (6) feet in width.

APPENDIX A. ADMINISTRATIVE MINOR SUBDIVISION CERTIFICATIONS and ENDORSEMENTS

Certificate of Ownership

_____ and _____, (single, husband and wife, corporate officer / other) hereby certify that I/we are the sole owner(s) of the property described hereon, which is within the subdivision regulation jurisdiction of the County of Christian, and that I/we freely adopt this plan of subdivision and dedicate to public use all areas shown on this plat as easements or deficient Right of Way, except those specifically indicated as private, and that I/we will maintain all such areas until the offer of dedication is accepted by the appropriate public authority.

(Owner Signature) – Print name underneath line

(Owner Signature) – Print name underneath line

(Title – if appropriate)

(Title – if appropriate)

Acknowledgment

STATE OF MISSOURI)
SS
COUNTY OF CHRISTIAN)

On this ____ day of _____, 20____, before me, the undersigned notary public, personally appeared _____, to me personally known to be the person(s) described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

In witness whereof, I have hereunto set my hand and affixed my official seal at my office in said County and State and day and year last written above.

(Notary Public) – Print name underneath line

Acknowledgment for Corporation

STATE OF MISSOURI)
SS
COUNTY OF CHRISTIAN)

On this ____ day of _____, 20____, before me, the undersigned notary public, personally appeared _____, and _____, to me personally known, who duly sworn, did say that they are the president and secretary respectively of _____ corporation, a _____(State)____ Corporation and that the seal to be affixed to the foregoing instrument is the corporate seal of said corporation and that the foregoing instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and that said _____ and _____ acknowledge said instrument to be the free act and deed of said corporation.

In witness whereof, I have hereunto set my hand and affixed my official seal at my office in said County and State and day and year last written above.

(Notary Public) – Print name underneath line

Surveyor’s Declaration

Known all men by these presents:

That I, _____, do hereby declare that this plat was prepared under my personal supervision from an actual survey of the land herein described, prepared by _____, dated _____ and signed by _____, L.S. NO. _____, and that the corner monuments and lot corner pins shown herein were placed under the personal supervision of _____, L.S. No. _____, in accordance with the current “Missouri Minimum Standards for Property Boundary surveys and the subdivision regulations of Christian County, Missouri.

(Name) – Print name underneath line

(MO. L.S. NO.)

Date

Certificate of Approval

I hereby certify that the minor subdivision shown on this plat has been approved by the Christian County Planning and Zoning Department.

(Planning and Zoning Administrator) – Print name underneath line

Date

Acknowledgment for Corporation

STATE OF MISSOURI)
SS
COUNTY OF CHRISTIAN)

On this ____ day of _____, 20____, before me, the undersigned notary public, personally appeared _____, and _____, to me personally known, who duly sworn, did say that they are the president and secretary respectively of _____ corporation, a _____(State)____ Corporation and that the seal to be affixed to the foregoing instrument is the corporate seal of said corporation and that the foregoing instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and that said _____ and _____ acknowledge said instrument to be the free act and deed of said corporation.

In witness whereof, I have hereunto set my hand and affixed my official seal at my office in said County and State and day and year last written above.

(Notary Public) – Print name underneath line

Surveyor’s Declaration

Known all men by these presents:

That I, _____, do hereby declare that this plat was prepared under my personal supervision from an actual survey of the land herein described, prepared by _____, dated _____ and signed by _____, L.S. NO. _____, and that the corner monuments and lot corner pins shown herein were placed under the personal supervision of _____, L.S. No. _____, in accordance with the current “Missouri Minimum Standards for Property Boundary surveys and the subdivision regulations of Christian County, Missouri.

(Name) – Print name underneath line

(MO. L.S. NO.)

Date

Certificate By Collectors Office

I hereby certify that all County taxes assessed against the property described hereon have been paid.

(County Collector) – Print name underneath line

Date

Certificate of Approval

I hereby certify that the subdivision shown on this plat has been approved by the Christian County Planning and Zoning Commission.

(Planning and Zoning Commission Executive Secretary) Date
– Print name underneath line

APPENDIX C. SUBMITTAL FORMS

The following pages contain the submittal forms for a Sketch Plan, Preliminary Plat, Final Plat and Construction Plans.

Christian County Planning & Zoning Department Sketch Plan Submittal Form

Development Name: _____

General Location: _____

Section _____ **Township** _____ **Range** _____

Date of submittal: _____ **Map location:** _____

_____ **Submittal fee** **Receipt number:** _____

_____ **5 copies of Sketch Plat**

_____ **Was pre-development conference held?**

_____ **Proposed Water Supply**

_____ **Proposed Wastewater Disposal facilities**

_____ **Acreage of development**

_____ **Number of lots proposed**

_____ **Existing Zoning District(s)**

Owner/Developer

Preparer

Address:

Address:

Phone #: _____

Phone #: _____

Fax #: _____

Fax #: _____

e-mail: _____

e-mail: _____

Signature:

Signature:

Christian County Planning & Zoning Department Preliminary Plat Submittal Form

Subdivision Name: _____

Section: _____ **Township:** _____ **Range:** _____

Date of Submittal: _____ **Receipt / Case #:** _____

Submitted for Public Hearing Scheduled for: _____

_____ **Sketch Plan Reviewed (date/file number** _____ **)**

_____ **5 Copies of the Preliminary Plat Submitted**

_____ **5 Copies of the Engineering Report Received**

_____ **Plat Fees Submitted; Amount:** _____

_____ **Number of Lots:** _____

_____ **Acereage of Development**

_____ **Zoning District(s)** _____ / _____ / _____

_____ **Variation(s) applied for**** **Fees Submitted:** _____

- 1) _____
- 2) _____
- 3) _____

Owner of Property:

Address: _____

Telephone #: _____

Fax #: _____

e-mail: _____

Signature: _____

Signature: _____

Developer:

Address: _____

Telephone #: _____

Fax #: _____

e-mail: _____

Signature: _____

Signature: _____

Surveyor:

Address: _____

Telephone #: _____

Fax #: _____

e-mail: _____

Signature: _____

Signature: _____

Engineer:

Address: _____

Telephone #: _____

Fax #: _____

e-mail: _____

Signature: _____

Signature: _____

** Please enclose document outlining requested variations to regulations and conditions on which based.

Christian County Planning & Zoning Department Final Plat Submittal Form

Subdivision Name: _____

Preliminary Plat Name: _____

Section: _____ **Township:** _____ **Range:** _____

Date of Submittal: _____ **Receipt / Case #:** _____

Submitted for Public Hearing Scheduled for: _____

_____ **4 Copies of the Final Plat Submitted**

_____ **Date of Preliminary Plat Approval:**

_____ **Date Last Phase of the Development was Recorded (If Applicable)**

_____ **Number of Lots:** _____

_____ **Date Street / Road Plans Approved**

_____ **Date Stormwater Plans Approved**

_____ **Zoning District(s)** _____ / _____ / _____

_____ **Acreage of Phase**

- Notes:** 1) _____
2) _____
3) _____

Owner of Property:

Address: _____

Telephone #: _____

Fax #: _____

e-mail: _____

Signature: _____

Signature: _____

Developer:

Address: _____

Telephone #: _____

Fax #: _____

e-mail: _____

Signature: _____

Signature: _____

Surveyor:

Address: _____

Telephone #: _____

Fax #: _____

e-mail: _____

Signature: _____

Signature: _____

Engineer:

Address: _____

Telephone #: _____

Fax #: _____

e-mail: _____

Signature: _____

Signature: _____

Christian County Planning & Zoning Department Construction Plans Submittal Form

Subdivision Name: _____

Date of Submittal: _____

Submitted for Review:

Quantity

- _____ Five (5) copies of the street plans.
- _____ Five (5) copies of the drainage plans.
- _____ Five (5) copies of the Soil and Erosion Control and Stormwater Management Plans
- _____ One (1) copy of the final plat
- _____ Signed Submittal Form
- _____ Submittal Fees

Developer:

Address: _____

Telephone #: _____

Fax #: _____

e-mail: _____

Signature: _____

Signature: _____

Consulting Firm:

Address: _____

Telephone #: _____

Fax #: _____

e-mail: _____

Signature: _____

Signature: _____

RESOLUTION NO. 7-6-10-01

**RESOLUTION of the
CHRISTIAN COUNTY PLANNING & ZONING COMMISSION
OZARK, MISSOURI**

DATE: July 6, 2010

SUBJECT: Adoption of the Subdivision Regulations for Christian County,
Missouri

WHEREAS, Christian County, Missouri desires to coordinate physical development in accordance with its present and future needs; so as to conserve the natural resources of the county, to insure efficient expenditure of public funds and to promote the health, safety, convenience, prosperity and general welfare of its inhabitants, and

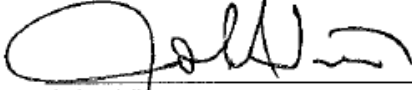
WHEREAS, the Planning and Zoning Commission has held advertised public hearings in order to obtain public input concerning the amendment of the Unified Development Codes (UDC) for Christian County, Missouri, which henceforth shall be known as the "Zoning Regulations for Christian County, Missouri", in accordance with the requirements of Section 64.670 of the Missouri Revised Statutes; and

WHEREAS, the Christian County Planning and Zoning Commission has recommended the removal and separation from the Zoning Regulations the subdivision regulations formerly know as Sections 4-70, 4-75, 4-76, 4-77, 4-78 and 4-80 of the UDC resulting in the creation of what is to now be cited separately as the "Subdivision Regulations for Christian County, Missouri";

NOW, THEREFORE, BE IT RESOLVED by the Planning and Zoning Commission of Christian County, Missouri that the Commission approves and adopts the Subdivision Regulations for Christian County, Missouri, in accordance with the requirements of Section 64.550 and 64.580 of the Missouri Revised Statutes; which are attached hereto and incorporated herein by reference. Existing subdivision regulations of the Unified Development Codes of Christian County, Missouri, are repealed and superceded to the extent of their inconsistency with the Subdivision Regulations of Christian County, Missouri adopted this date.

IT IS FURTHER RESOLVED that the Subdivision Regulations for Christian County, Missouri adopted hereunder provide penalties for the violation thereof, and authorize said Regulations to be amended from time to time by resolution carried by not less than a majority vote of the full membership of the Planning and Zoning Commission of Christian County.

PASSED AND ADOPTED by a majority vote of the full membership of the Planning and Zoning Commission of Christian County, Missouri, on this 6th day of July, 2010, and the Subdivision Regulations for Christian County, Missouri shall have the same effective date as the Zoning Regulations for Christian County, Missouri.



John View
Chairman

Maryann Harter
Vice Chairman



Allen Bishop
Secretary