

**Amendments to the Taney County Development Guidance Code  
Approved by Order of the County Commission**

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**Planning Commission Public Hearing Held - November 21, 2011  
Taney County Commission Public Hearing Held – March 15, 2012**

**Highlighted Items** – Additions  
**Strikethrough** – Deletions

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**6.1. Buffer Requirements**

Buffer requirements for projects requiring site plans shall be designed in conformance with the following standards:

6.1.1. Requirements Between Non-Residential and Residential Uses

A landscaped buffer is required between any residential land use whether those uses are single or two-family, manufactured home parks, multi-family residential, or any other residential land use, and any other non-residential land use such as commercial or industrial (but not agricultural).

6.1.2. Requirements Between Multi-Family Residential and Single / Two-Family Residential

A landscaped buffer is required along the common property line in any multi-family project (any project with three or more dwelling units in one structure) in a specified project parcel where such a project is adjacent to a single-family or two-family parcel.

6.1.3. Required Buffer Specifications

The required buffer shall be a minimum of twenty-five feet (25) in width and may consist of existing indigenous plant material left in the undisturbed state. In the event the required buffer does not provide a visual screen of at least fifty (50) percent, it is required that this buffer be augmented by additional plantings consisting of conifer and deciduous trees and shrubs to fill in any voids or sections of the buffer where the existing material is light. ~~The use of a wall or fence as part of the buffer is an option, but will not reduce the required minimum width.~~  
An appropriate root zone protective area must be provided to ensure that the vegetative buffer does not degrade from construction damage. The Planning Commission will establish any required buffers that are wider than the minimum 25 feet during the Division III process. **A privacy fence, wall, landscaped earthen berm or other screening device found to be appropriate by the Planning Commission may be utilized in lieu of the required twenty-five (25) wide landscaped buffer. If an alternative form of buffering is proposed, the applicant shall submit a detailed plan indicating all features to be utilized in order to obtain Planning Commission approval. This alternative buffering plan shall be submitted upon application for a Division III Permit.**

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Table J-2

Commercial / Industrial	&	adjoining residences / public open space	<del>40-feet</del> <b>25 feet</b>
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### 11.1. Policies for Western Taney County

#### 11.1.1. WATER QUALITY

The resort development that has supported Taney County's growth, and which is the most important facet of its economy, is centered on its lakes, making the protection of water quality a priority. Good water quality is also important to Taney County's residents who use the lakes for their own recreational pastimes and to everyone in Taney County and downstream whose drinking water supply may be affected by surface or groundwater pollution.

##### **Absolute Policies**

##### (1) Erosion and Sedimentation Control

Developments will submit erosion and sedimentation plans for approval prior to any clearing done on said project in the form of a Land Disturbance permit in accordance with [Appendix F](#). Reseeding will be done within forty-eight (48) hours of completion of clearing. The types of seeds to be used shall be perennial rye at 42 lbs. per acre, wheat at 30 lbs. per acre. Other seed may be used by the development in conjunction with these seeds.

##### (2) Wastewater Control

Developers shall obtain and produce a permit from the Taney County Regional Sewer District applicable wastewater system permitting entity to ensure adequate wastewater disposal.

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### 11.2. Policies for Eastern Taney County

#### 11.2.1. WATER QUALITY

The resort development that has supported Taney County's growth, and which is the most important facet of its economy, is centered on its lakes, making the protection of water quality a priority. Good water quality is also important to Taney County's residents who use the lakes for their own recreational pastimes and to everyone in Taney County and downstream whose drinking water supply may be affected by surface or groundwater pollution.

##### **Absolute Policies**

##### (a) Erosion and Sedimentation Control

Developments will submit erosion and sedimentation plans for approval prior to any clearing done on said project in the form of a Land Disturbance permit in accordance with [Appendix F](#). Reseeding will be done within forty-eight (48) hours of completion of clearing. The type of seeds to be used is perennial rye at 42 lbs. per acre, wheat at 30 lbs. per acre. Other seed may be used by the development in conjunction with these seeds.

##### (b) Wastewater Control

Developer shall obtain and produce a permit from the Taney County Regional Sewer District applicable wastewater system permitting entity to ensure adequate wastewater disposal.

**APPENDIX B (Division I Permit Application Requirements)**

Division I permits provide for the rapid Staff approval for residences that are on large parcels and have little potential impact on the environment, their neighbors, or the taxpayers, or which are located in a subdivision that has already been approved for residential use by the county, assuring that environmental, land-use compatibility, public service, and other concerns have already been addressed.

**Step 1: FILING**

An application for a Division I permit may be filed with the Staff at any time during regular business hours. The applicant shall complete the permit application with **the** following information:

- (a) Parcel number and proof of property ownership – either a copy of the property tax statement, a warranty deed with all attachments, or other legally established document that includes both the property owners name and property legal description.
- (b) Diagram showing lot lines, dimensions, locations of access and structures, distances from each lot line to the structure for which the permit is intended, and any other pertinent information as designated by the Staff.
- (c) **Applicable wastewater system permitting entity** ~~Taney County Regional Sewer District~~ approval. (The applicant shall contact the **applicable wastewater system permitting entity** ~~Taney County Sewer District~~ for determination of any requirements and for approval.)

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### Duplex

A two-family residential use in which the dwelling units share a common wall (including the wall of an attached garage or porch) and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance.

### Dwelling Unit

A building or portion of a building designed and used for residential occupancy by a single Household. (This includes exclusive sleeping, cooking and sanitation facilities.)

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### Wall

An upright structure of masonry, wood plaster or other building material serving to enclose, divide or protect an area, especially a vertical construction forming an inner partition or exterior siding of a building.

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3.13. Duplexes – All duplexes shall comply with the following requirements:

3.13.1 The lot size for a duplex when a public/central sewer system is available shall be, at a minimum, equivalent to existing standards for single family residential dwellings.

3.13.2 If an onsite wastewater treatment system is required due to the unavailability of a public/central sewer system, the lot size for a duplex dwelling unit shall be, at a minimum, equivalent to existing standards for single family residential dwellings. (*Please refer to the definition of dwelling unit.*)

3.13.3 A one (1) hour fire rated, partition wall from foundation to roof decking shall be required between dwelling units. (*Please refer to the definition for wall.*)

3.13.4 No interior side setback is required on the "attached" side of a lot containing a Duplex. The street, side and rear setback standards shall apply.

3.13.5 Each dwelling unit shall have direct access to the existing road.

3.13.6 A recorded governing document acknowledged by all property owners that covers interest in the property including but not limited to: insurance, utilities, building exterior and other common elements.

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### 4. PERMITS

#### 4.1. Types of Permits

The types of permits available are defined below. However, to aid in determining what type of permit is required for a development project, the decision flow chart of [Appendix A](#) can be used so simplify the selection process.

##### 4.1.1. Division I Permits

A permit required for any of the following conditions:

- (a) new single-family dwelling (including [manufactured homes](#))
- (b) ~~new two-family dwelling (duplex) on parcels of three (3) or more acres~~
- (c) any addition to construction originally requiring a Division I permit
- (d) any addition to a single-family unit
- (e) [special events](#)
- (f) any accessory building, structure, or appurtenance (shed, deck, porch, car port, etc.) greater than 100 square feet in ground coverage which is not classified as an agricultural structure (agricultural structures are exempt from all permitting requirements; residential structures are not considered exempted as agricultural structures and do require permits for purposes of compliance with setbacks)

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##### 4.1.2. Division II Permits

A permit required for any of the following conditions:

- (a) new commercial, industrial, or institutional uses that have been issued a Division III permit
- (b) any ~~two-family dwelling duplex on a parcel of less than three (3) acres~~ **that has been issued a Division III Permit**
- (c) any three-family or larger multi-family structure that already has an approved Division III permit
- (d) any addition to construction requiring a Division II permit, except additions to single family units
- (e) church structures or additions

*Note:* All requests that do not specifically fall within the above listed situations shall automatically be considered a Division III permit request.

Detailed Division II permit application requirements are defined in [Appendix C](#).