

BEFORE THE COUNTY COMMISSION OF TANEY COUNTY, MISSOURI

**AN ORDER ENACTING AND ADOPTING AMENDMENTS TO ZONING REGULATIONS
AND ZONING DISTRICTS IN TANEY COUNTY, MISSOURI; AND OTHER ACTIONS
RELATED THERETO**

WHEREAS, Taney County has adopted county planning and zoning pursuant to the provisions set forth in §§ 64.800 – 64.905, RSMo., and on November 13, 1984, the Taney County Commission adopted the Taney County Development Guidance Code including zoning district map, which has been amended and revised from time to time since its adoption;

WHEREAS, pursuant to §64.875, RSMo., the regulations imposed and the districts created under the authority of §§ 64.845 – 64.880 may be amended from time to time by the County Commission by order after the order establishing the same has gone into effect but no amendments shall be made by the County Commission except after recommendation of the County Planning Commission after hearings thereon by the Planning Commission;

WHEREAS, pursuant to §64.875, RSMo., no written protest against any proposed change or amendment, signed and acknowledged by the owners of thirty percent of the frontage within one thousand feet to the right or left of the frontage proposed to be changed, or by the owners of thirty percent of the frontage directly opposite, or directly in the rear of the frontage proposed to be altered, have been received by the County Commission, Taney County, Missouri;

WHEREAS, pursuant to §64.875, RSMo., no written protest against any proposed change or amendment, in cases where the land affected lies within one and one-half miles of the corporate limits of a municipality having in effect ordinances zoning property within the corporate limits of a municipality, made by resolution of the city council or board of trustees thereof, and filed with the county clerk, have been received by the County Commission, Taney County, Missouri;

WHEREAS, the Taney County Planning and Zoning staff, Planning Commission and County Commission have sought to revise the zoning regulations and zoning districts in Taney County, Missouri;

WHEREAS, the Planning and Zoning Planning Commission made a preliminary report with a proposed zoning order in the form of Zoning Regulations, Taney County, Missouri and Zoning Map showing the boundaries of the proposed districts in order to hold public hearings and to afford interested persons an opportunity to be heard;

WHEREAS, public notice of the hearings was given by providing at least fifteen (15) days' notice of the time and place of each hearing which were published in at least one newspaper of general circulation within the county, and by posting in one or more public areas of the courthouse of the county, and by identifying the place where copies of the proposed report and proposed zoning order would be accessible for examination by interested parties;

WHEREAS, public hearings were held in each township affected by the terms of the proposed order pursuant to § 64.860, RSMo. as follows, which were adjourned from time to time:

Cedar Creek Township - February 26, 2021;

Branson Township - March 4, 2021;

Scott Township - March 11, 2021;

Jasper Township - March 15, 2021;

Beaver Township - March 18, 2021;

Swan Township - March 22, 2021;

Big Creek Township - March 25, 2021;

Oliver Township - March 29, 2021;

WHEREAS, the Planning Commission has made a report and submitted a proposed order by Resolution to the County Commission, dated April 12, 2021, which was within ninety days after the final adjournment of the public hearings;

WHEREAS, the County Commission may adopt the order with or without change or may refer it back to the Planning Commission for further consideration and report;

WHEREAS, the County Commission of Taney County, having reviewed the report and proposed order set forth in the Resolution of the Planning Commission, dated April 12, 2021, containing the recommendation of the Planning Commission, finds that it is in the best interests of Taney County to enact and adopt amendments to the Zoning Regulations and Zoning Districts of Taney County, Missouri;

NOW, THEREFORE, be it RESOLVED and ORDERED by the County Commission of Taney County, Missouri, as follows:

1. Findings. The County Commission adopts and confirms the WHEREAS clauses set forth above as the findings of the Commission and confirms that the recitals, statements and facts set forth above are true and accurate.

2. Acceptance of Recommendations, Report, and Proposed Order: Resolution. The County Commission of Taney County, Missouri, hereby accepts the recommendations of the Planning Commission as memorialized in A Resolution of the Taney County Planning Commission Setting Forth A Report and Proposed Order Relating to Zoning Regulations and Zoning Districts in Taney County, Missouri, said Resolution having been adopted by the Planning Commission on April 12, 2021 following a public hearing held on even date therewith, which is attached hereto and incorporated herein by reference as Exhibit 1, with changes.

3. Zoning Regulations. The County Commission, Taney County, Missouri hereby enacts, adopts and approves the proposed amendments to the Zoning Regulations, said Zoning Regulations, Taney County, Missouri (“Zoning Regulations”) in the form attached hereto and incorporated herein by reference as Exhibit A.

4. Zoning Map. The County Commission of Taney County, Missouri hereby adopts and approves the Zoning Map of Taney County, Missouri, consisting of 287 Zoning Maps each identified by map series grid, which are incorporated herein by reference as though fully set forth herein (collectively the “Zoning Map” or “Zoning Maps”). The official copy of the Zoning Maps are accompanied by this Order and shall be maintained in the offices of the Taney County Planning and Zoning Department as well as an identical electronic copy of the Zoning Maps. A list of the Zoning Maps, identified by map series grid number is attached hereto and incorporated herein by reference as Exhibit B.

5. Rescind Taney County Development Guidance Code. The County Commission, Taney County, Missouri hereby rescinds the Taney County Development Guidance Code, which is attached hereto as Exhibit C.

6. Adoption of Storm Water and Erosion Control Regulations. The County Commission of Taney County, Missouri hereby adopts the Storm Water and Erosion Control Regulations of Taney County, Missouri, in the form attached hereto and incorporated herein by reference as Exhibit D, which were formerly substantially in the form of Appendix H to the Taney County Development Guidance Code.

7. Rescind Order Enacting A Temporary Moratorium. The County Commission, Taney County, Missouri rescinds the Order Enacting a Temporary Moratorium on Division III and Special Use Permits For Nightly Rentals To Allow For Amendments To the Development Guidance Code, dated November 23, 2020, attached hereto as Exhibit E;

8. Adoption of Application Fees Schedule. The Taney County Commission, Taney County, Missouri adopts the revised Application Fees Schedule, in the form attached hereto and incorporated herein by reference as Exhibit F.

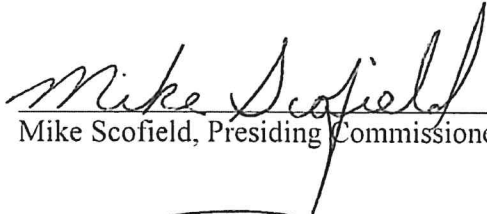
9. Authority. Mike Scofield, Presiding Commissioner, is hereby authorized and directed to execute and deliver such other documents and information as may be necessary to carry out and comply with the intent of this Order.

10. Effective Date. This Order shall be in full force and effect from and after the date of its passage and approval by the County Commission of Taney County, Missouri.


11. Invalidity. If any part of this Order is determined or found to be invalid for any reason, such invalidity shall not affect the remainder of this Order.

12. Order of Printing and Publication. Upon adoption of this Order, the County Commission declares and orders that this Order be printed and made available for distribution to the public in the Office of the County Clerk and orders a copy of this Order to be published in a newspaper in the county for three successive weeks, not later than thirty (30) days after the entry of this Order.

ADOPTED by the COUNTY COMMISSION this 21th day of April, 2021.



Mike Scofield, Presiding Commissioner

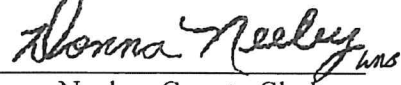


Brandon Williams, Western District Commissioner



Sheila Wyatt, Eastern District Commissioner

ATTEST:



Donna Neeley, County Clerk

