



## TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653

Phone: 417 546-7225 / 7226 • Fax: 417 546-6861

website: [www.taneycounty.org](http://www.taneycounty.org)

**AGENDA**  
**TANEY COUNTY PLANNING COMMISSION**  
**PUBLIC HEARING**  
**MONDAY, MAY 14, 2012, 6:00 P.M.**  
**COUNTY COMMISSION HEARING ROOM**  
**TANEY COUNTY COURTHOUSE**

Call to Order:

*Establishment of Quorum*  
*Explanation of Meeting Procedures*  
*Presentation of Exhibits*

Public Hearings:

*Pothole Riviera Nightly Rental*

Old and New Business:

*Tentative*

Adjournment.



**TANEY COUNTY  
PLANNING COMMISSION  
DIVISION III STAFF REPORT**

**HEARING DATE:** May 14, 2012

**CASE NUMBER:** 2012-0003

**APPLICANT:** Pothole Riviera Properties, LLC – Jerry Wible

**LOCATION:** The subject property is located at 3585 State Highway Y, Forsyth, MO; Swan Township; Section 8, Township 23, Range 20.

**REQUEST:** The applicant, Jerry Wible is requesting approval of a Special Use Permit to utilize an existing, grandfathered, single-family residence for nightly rental.

**BACKGROUND and SITE HISTORY:**

According to the Assessor's information, the home was constructed in 1943. The property in question is known as Lot 5, Block 1 of the Pot Hole Riviera Addition.

The current application was approved for Concept on April 16, 2012.

**GENERAL DESCRIPTION:**

The subject property (approximately 80' x 105' – 8,400 sq. ft) contains an approximately 807 square foot single-family residence (per the Assessor's information) located at 3585 State Highway Y, Forsyth, MO, in the Pot Hole Riviera Addition.

**REVIEW:**

The Taney County Development Guidance Code defines nightly rental as "A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) days." Currently, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family home will remain the same. During the site visit the applicant indicated that the first floor of the home is unfinished and will be utilized as storage with the second floor serving as living quarters. However, during the Concept Hearing, the applicant indicated that a room will be remodeled both in the first and second floor of the home allowing for no more than 8 adult guests.



The property in question is currently buffered with natural vegetation along the northern, southern and western property boundaries. The adjoining, residential property owner immediately to the north has expressed opposition to any conditions being placed on this Special-Use Permit which would require privacy fencing, primarily due to concerns of loss of view.

The property is currently served by a community well and the Taney County Regional Sewer District. The residence is in compliance with the setback requirements. The existing parking area will exceed the requirements of the Taney County Development Guidance Code (1.5 spaces per two-bedroom dwelling unit with ½ space added for each additional bedroom) and the existing, large Y-shaped driveway will allow for the on-site turnaround of an automobile with a boat or camper.

The project received a total score of 2 on the Policy Checklist, out of a maximum possible score of 41. The relative policies receiving a negative score consist of emergency water supply, solid waste disposal service, use compatibility and utilities.

#### **SUMMARY:**

If the Taney County Planning Commission approves this request, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.
2. No outside storage of equipment or solid waste materials.
3. This decision is subject to all existing easements.
4. A 25' wide natural vegetative buffer shall be preserved along the northern property boundary, between the property in question and the adjacent single family residence.
5. This Decision of Record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire (Chapter II Item 6).

Pothole Riviera Properties, LLC

Permit#:

12-08

Division III Relative Policy Scoring Sheet:  
Eastern Taney County

Performance Value  
Importance Factor  
Score  
Section Score

**Water Quality**

SEWAGE DISPOSAL	n/a=				
centralized system		2	5	2	10
on-site treatment system(s) with adequate safeguards to mitigate pollution		1			
septic system of adequate design and capacity		0			
proposed system may not provide adequate capacity		-1			
proposed solution may cause surface and/or ground water pollution		-2			

**Environmental Policies**

STORM DRAINAGE	n/a=	x			
on-site stormwater retention and absorption with engineered plans		2	4		
on-site stormwater retention and absorption without engineered plans		1			
stormwater retention with managed and acceptable run-off		0			
no stormwater retention, but adverse impacts from run-off have been mitigated		-1			
no acceptable management and control of stormwater run-off		-2			

AIR QUALITY	n/a=	x			
cannot cause impact		0	4	0	
could impact but appropriate abatement installed		-1			
could impact, no abatement or unknown impact		-2			

**Critical Areas**

PRESERVATION OF CRITICAL AREAS	n/a=	x			
no adverse impact to any designated critical area		2	3		
one of the designated critical areas impacted but can be fully mitigated		1			
more than one of the designated critical areas impacted but can be fully mitigated		0			
one or more of the designated critical areas impacted and mitigation not fully effective		-1			
one or more of the designated critical areas impacted with no ability to mitigate problem		-2			

**Land Use Compatibility**

OFF-SITE NUISANCES	n/a=				
no issues		2	4	1	4
minimal issues, but can be fully mitigated		1			
issues that can be buffered and mitigated to a reasonable level		0			
buffered and minimally mitigated		-1			
cannot be mitigated		-2			

USE COMPATIBILITY	n/a=				
no conflicts / isolated property		0	4	-1	-4
transparent change / change not readily noticeable		-1			
impact readily apparent / out of place		-2			



Pothole Riviera Properties, LLC		Permit#:	12-08		
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT & VENTS		n/a=	x		
no rooftop equipment / vents or blocked from view by structure design or screening			0	3	
partially blocked from view			-1		
exposed / not blocked from view			-2		
STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS		n/a=	x		
no on-site waste containers or blocked from view by structure design or screening			0	3	
partially blocked from view			-1		
exposed / not blocked from view			-2		
STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC.		n/a=	x		
no outdoor storage of equipment, materials, etc., or outdoor work areas			2	3	
blocked from view by structure design			1		
blocked from view using screening			0		
partially blocked from view			-1		
exposed / not blocked from view			-2		
LANDSCAPED BUFFERS -- RESIDENTIAL		n/a=	x		
approved landscaped buffer between homes and all streets / roads / highways			2	2	
approved landscaped buffer from major roads / highways only			1		
minimal landscaped buffer, but compensates with expanse of land			0		
no landscaped buffer between residences and local streets			-1		
no landscaped buffer from any road			-2		
LANDSCAPED BUFFERS - INDUSTRIAL		n/a=	x		
approved landscaped buffer from public roads			0	3	
minimal landscaped buffer, but compensates with expanse of land			-1		
no landscaped buffer from public roads			-2		
<b>Local Economic Development</b>					
AGRICULTURAL LANDS		n/a=	x		
no conversion of Class I-IV agricultural land to other use(s)			0	1	
development requires reclassification of Class I-IV agricultural land to other use(s)			-2		
RIGHT TO FARM		n/a=	x		
does not limit existing agricultural uses / does not cause nuisance, predation			0	3	
does not limit existing agricultural uses, but may result in minor nuisance			-1		
potential impact(s) on existing agricultural land			-2		
RIGHT TO OPERATE		n/a=	x		
no viable impact on existing industrial uses by residential development			0	2	
potential impact but can be mitigated			-1		
potential impact on existing industrial uses with no mitigation			-2		



Pothole Riviera Properties, LLC		Permit#:	12-08		
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
<b>DIVERSIFICATION</b>		n/a=	x		
creates >=5 full-time, year-round jobs outside of recreation / resort sector		2	4		
creates full-time, year-round and seasonal jobs		1			
creates seasonal jobs only		0			
<b>Site Planning, Design, Occupancy</b>					
<b>RESIDENTIAL PRIVACY</b>		n/a=			
privacy provided by structural design, or not applicable		2	2	0	0
privacy provided by structural screening		1			
privacy provided by landscaped buffers		0			
privacy provided by open space		-1			
no acceptable or effective privacy buffering		-2			
<b>MIXED-USE DEVELOPMENTS</b>		n/a=	x		
uses / functions are compatible or not applicable		2	3		
uses / functions are integrated and separated based on compatibility		1			
uses / functions differ minimally and are not readily apparent		0			
uses / functions poorly integrated or separated		-1			
uses / functions mixed without regard to compatibility factors		-2			
<b>Commercial Development</b>					
<b>DEVELOPMENT PATTERN / BUFFERING</b>		n/a=	x		
approved and effectively designed landscaped buffers between structures and all roads		2	4		
minimal landscaped buffering, but compensates with expanse of land		1			
minimal landscaped buffering		0			
no landscaped buffering, but utilizes expanse of land		-1			
no or inadequate buffering or separation by land		-2			
<b>Services - Capacity and Access</b>					
<b>UTILITIES</b>		n/a=			
adequate utilities capacity as evidenced by letter from each utility		0	4	-1	-4
adequate utilities capacity without formal letter from each utility or not from all utilities		-1			
inadequate information to determine adequacy of utilities		-2			
<b>TRAFFIC</b>		n/a=			
no impact or insignificant impact on current traffic flows		0	2	0	0
traffic flow increases expected but manageable using existing roads and road accesses		-1			
traffic flow increases exceed current road capacities		-2			
<b>EMERGENCY SERVICES</b>		n/a=			
structure size and/or access can be serviced by emergency equipment		0	3	0	0
structure size and/or access may impede but not hinder serviceability		-1			
structure size and/or access could be problematic or non-serviceable		-2			



Pothole Riviera Properties, LLC		Permit#:		12-08	
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
RIGHT-OF-WAY OF EXISTING ROADS		n/a=			
greater than 50 ft. right-of-way		1	5	0	0
50 ft. right-of-way		0			
40 ft. right-of-way		-1			
less than 40 ft. right-of-way		-2			
<b>Internal Improvements</b>					
WATER SYSTEMS		n/a=			
central water system meeting DNR requirements for capacity, storage, design, etc.		2	3	1	3
community well / water system meeting DNR requirements		1			
private wells meeting DNR requirements		0			
private wells not meeting any established standards		-1			
individual / private wells		-2			
EMERGENCY WATER SUPPLY		n/a=			
fire hydrant system throughout development with adequate pressure and flow		0	5	-2	-10
fire hydrant system with limited coverage		-1			
no fire hydrant system		-2			
PEDESTRIAN CIRCULATION		n/a=	x		
paved and dedicated walkways (no bicycles) provided throughout development		2	4		
paved walkways provided throughout development / maybe shared with bicycles		1			
designated walkways provided but unpaved		0			
no pedestrian walkways, but green space provided for pedestrian use		-1			
no designated pedestrian walkway areas		-2			
PEDESTRIAN SAFETY		n/a=	x		
separation of pedestrian walkways from roadways by landscape or structural buffer		2	2		
separation of pedestrian walkways from roadways by open land buffer		1			
pedestrian walkways abut roadways with no buffering / protection		0			
BICYCLE CIRCULATION		n/a=	x		
dedicated / separate bike-ways with signage, bike racks, trails		2	1		
bicycle lanes shared with pedestrian walkways but separated by markings / signs		1			
no designated bike-ways		0			
UNDERGROUND UTILITIES		n/a=			
all utilities are provided underground up to each building / structure		2	4	2	8
all utilities traverse development underground but may be above ground from easement		1			
utilities above ground but / over designated easements		0			
utilities above ground and not within specific easements		-1			
no specific management of utilities		-2			

Pothole Riviera Properties, LLC		Permit#:		12-08		
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score	
<b>Open-Space Density</b>						
USABLE OPEN SPACE	n/a=	x				
residential developments (>25 units) include more than 25% open recreational space		2	2			
residential developments (>25 units) offer >10% but <25% open recreational space		1				
recreational area provided, but highly limited and not provided as open space		0				
no designated recreational space provided, but open space available		-1				
no open recreational space provided		-2				
<b>Solid Waste Disposal</b>						
SOLID WASTE DISPOSAL SERVICE AVAILABILITY	n/a=					
weekly service is available and documentation of availability provided		0	5	-1		-5
weekly service reportedly available but not documented		-1				
centralized, on-site trash collection receptacles available		-2				
SOLID WASTE DISPOSAL SERVICE COMMITMENT	n/a=	x				
restrictive covenants provide for weekly disposal for each occupied structure		0	5			
services available but not a requirement documented in covenants		-1				
not applicable / no pick-up service provided		-2				

Total Weighted Score= 2

Maximum Possible Score= 41

Actual Score as Percent of Maximum= 4.9%

Number of Negative Scores= 4

Negative Scores as % of Total Score= 11.4%

Scoring Performed by:

*Bob Atchley / Bonita Kisse*

Date:

*April 23, 2012*



**Project:** Pothole Riviera Properties, LLC

**Permit#:** 12-08

<b>Policies Receiving a Negative Score</b>	
<b>Importance Factor 5:</b>	emergency water supply waste disposal service
<b>Importance Factor 4:</b>	use compatibility utilities
<b>Importance Factor 3:</b>	none
<b>Importance Factor 2:</b>	none
<b>Importance Factor 1:</b>	none

**Scoring by:** Bob Atchley / Bonita Kissee

**Date:** April 23, 2012

# Eastern District Relative Policies: Division III Permit

Project: Pothole Riviera Properties, LLC

Permit: 12-08

	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	41	2	4.9%	4	33.3%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
<b>Importance Factor 5</b>	<b>15</b>	<b>-5</b>	<b>2</b>	<b>50.0%</b>
sewage disposal	10	10		
right-of-way / roads	5	0		
emergency water supply	0	-10		
waste disposal service	0	-5		
waste disposal commitment				
<b>Importance Factor 4</b>	<b>16</b>	<b>4</b>	<b>2</b>	<b>50.0%</b>
stormwater drainage				
air quality				
off-site nuisances	8	4		
use compatibility	0	-4		
diversification				
development buffering				
utilities	0	-4		
pedestrian circulation				
underground utilities	8	8		
<b>Importance Factor 3</b>	<b>6</b>	<b>3</b>		
preservation of critical areas				
screening of rooftop equip				
screening / waste containers				
screening of outdoor equip				
industrial landscape buffers				
right to farm				
mixed-use developments				
emergency services	0	0		
water systems	6	3		
<b>Importance Factor 2</b>				
residential landscape buffers				
right to operate				
residential privacy	4	0		
traffic	0	0		
pedestrian safety				
usable open space				
<b>Importance Factor 1</b>				
agricultural lands				
bicycle circulation				

Scoring by: Bob Atchley / Bonita Kissee

Date: April 23, 2012



# Memo

**To:** Taney County Planning Commission Members

**From:** Bob Atchley

**Date:** May 7, 2012

**Re:** Proposed Amendments to the Draft Subdivision Regulations

Following the April 23<sup>rd</sup> Planning Commission Work Session, the staff met with Randy Haes, at the request of the Planning Commission, in order to ensure that the provisions of the Draft Subdivision Regulations comply with the existing provisions of the Taney County Road Standards. Upon reviewing both the Draft Subdivision Regulations and the Road Standards a number of inconsistencies were noted. The staff has proposed a series of amendments to the Draft Subdivision Regulations which will address these inconsistencies and ensure compliance with the adopted Road Standards.

I have enclosed a copy of the proposed amendments to the Draft Subdivision Regulations to be discussed by the Planning Commission at the Public Hearing on June 11, 2012. Please note that any proposed additions are shown as being highlighted and any proposed deletions are shown with a ~~striketrough~~. You are being provided a copy of only those pages of the draft subdivision regulations which contain proposed amendments. Some page numbers may not match the page numbers for the sections that you received in the original Draft Subdivision Regulations because of the additions.

Please feel free to contact me at (417) 546-7225 with question or concerns.

### **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.

### **Driveway**

An area intended for the operation of automobiles and other vehicles from the street right-of-way to a garage, parking area, building entrance, structure, or approved use located on the property. Any dimensions relating to the width of a driveway surface shall be measured at the right-of-way line.

### **Driveway Approach**

An area intended for the operation of automobiles and other vehicles giving access between a roadway and abutting property. The driveway approach includes the sum of the curb returns on each side of the driving surface, plus the driving surface.

### **Joint Driveway**

A driveway which provides access to a public street for more than one tract of land.

### **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, Multi-Family**

A dwelling or portion thereof designed, arranged or occupied as a residence by three or more families or dwelling units having separate quarters and living independently of each other.

### **Dwelling, Single-Family**

A detached dwelling designed and intended for occupancy by a single family or living group that functions as a single household.

### **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.)



### **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 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 Improvements**

Those things that are constructed, installed, or performed on public land, or on land that is to become public in the subdivision process, including but not limited to street and alley pavement, curbs, storm drainage facilities, sidewalks, sanitary sewers and water lines, and including the grading of such land.

### **Public Sewer**

Any sanitary sewer or wastewater system or part of such a system, which is owned, maintained and operated by either an incorporated area of Taney County or the Taney County Regional Sewer District.

### **Real Property**

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

### **Regulations**

The Subdivision Regulations of Taney 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.

### **Section 3. Classifications**

#### **A. Administrative Minor Subdivision**

Any division of unplatted land in which not more than six (6) 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 six (6) tracts, less than ten (10) acres in size shall be created, inclusive of any tract retained by owner and
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 any 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.

#### **B. Major Subdivision**

Any division of land into tracts less than 10 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 lines, etcetera.



## ARTICLE 5. ADMINISTRATIVE MINOR SUBDIVISIONS

### Section 1. Administrative Minor Subdivision Review

- A. The Planning 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 six (6) tracts or parcels.
  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 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. 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 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. 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.
- F. The Planning Administrator may approve an administrative minor subdivision when the minimum lot area and lot frontage are in compliance with the provisions of Article 9, Section 3 of these Regulations.
  - 1. No more than six (6) tracts less than ten (10) 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 fifty (50) feet shall be recorded and indicated on the land survey should said easement serve ~~between one and six up~~ to two (2) tracts.
      - (2) 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 road improvements are needed; and~~
  - 4. No more than ~~six (6)~~ two (2) tracts of less the ten (10) 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 Taney County Subdivision Regulations.
- G. Upon the recording of an administrative minor subdivision, the owner may convey property in accordance with the approved legal descriptions and the applicable Division I and II permits may be issued.
- K. **Fee for Administrative Minor Subdivision**

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



## **ARTICLE 8. REQUIRED IMPROVEMENTS**

### **Section 1. Monuments and Markers for Major Subdivisions (More than six (6) 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 Commission, all streets shall be public streets.
- B. Public streets shall be designed and constructed in accordance with the Taney County Road Standards.
- C. The street layout shall conform to the Taney County Master Plan and the Taney County Road 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 Taney County Road Standards.

#### **E. Street Names**

- 1. 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~~ **Taney County 911 Office**.
- 2. 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.
- 3. All names of streets proposed by the developer shall be approved or disapproved by the ~~County Commission~~ **Taney County 911 Office** in accordance with this Resolution.

#### **F. Private Streets**

- 1. Private streets shall be permitted only with the approval of the ~~County Commission~~ **Planning Commission**.
- 2. 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 Administrator and must be recorded with the final plat.

3. Only local streets may be designated as private streets.
4. Private streets shall be constructed in accordance with Taney County Road 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 Taney County Road Standards.

**G. Private Drives ~~Driveway~~**

- a. ~~A private drive, exempt from standards for public streets, — May be utilized by no more than six tracts without public — Road frontage (administrative minor subdivision only).~~
- a. For administrative minor subdivision a private driveway, exempt from any construction standards, will be allowed to serve no more than two (2) tracts which have no public road frontage.
- b. Driveways providing sole access to tracts, without public road frontage, shall be located within a recorded ingress / egress easement with a minimum width of fifty (50) feet.
- c. All new driveway approaches that directly access any County roads shall be installed per Taney County Road Standards.
- c. All commercial or industrial tracts of land shall be served by a public road.
- d. ~~A private drive that serves more than one lot~~ A joint driveway that serves no more than two (2) tracts must have a sign that meets the requirements of the Taney County Road & Bridge Department. Signs shall be paid for by the developer but shall be installed by the Taney County Road & Bridge Department.
- e. The Taney County Road & Bridge Department must review proposals that directly access any County roads.

**Section 3. Wastewater Disposal**

- A. Subdivisions proposed with lots, any of which contain less than two (2) acres shall be connected to a public or central sewer collection system.
- B. Wastewater disposal systems shall be provided in accordance with the approved engineering report and a construction permit must be obtained from the applicable wastewater system permitting entity (i.e. MoDNR,



## **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 and Senior Services.
- 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.

### **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 provisions of the Taney County Development Guidance Code.

### **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 Taney County Development Guidance Code.

**C. Alignment**

1. Horizontal and vertical alignment of streets shall be designed in accordance with the Taney County Road Standards.
  - a. Minimum right-of-way widths and width of paving shall be as specified in the Taney County Road Standards.
  - b. Additional street right-of-way widths may be required by the Planning Commission or by the Planning 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 Taney County Road Standards or herein.

**D. Street Paving**

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

**E. Street Intersections**

1. Street intersections shall be designed in accordance with the Taney County Road Standards.
2. Intersections involving the junction of more than two (2) streets shall be reviewed on a case-by-case basis.
3. Additional right-of-way shall be provided at street intersections as specified in the Taney County Road Standards.



#### **Section 4. Easements and Alleys**

- A.** An ingress / egress easement with a minimum width of fifty (50) feet shall be recorded. ~~should said easement serve between one and six tracts of land.~~
  - 1.** An ingress / egress easement shall be allowed to serve no more than two (2) tracts which have no public road frontage.
  - B.** Drainage easements shall be required.
  - C.** Utility easements shall be labeled as to their usage on all recorded documents. Utilities include but are not limited to sewer, gas, water, electric and communications.
  - D.** Miscellaneous easements such as sign, conservation, greenway, recreation, and environmental easements will be designated as desired and / or required.
  - E.** Sanitary sewer and utility easements shall extend where necessary to adjacent properties.
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