

Greene County  
Missouri

# Subdivision Regulations

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*(Forms not for reproduction)*  
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**Appendix E      AMENDMENTS**

February 5, 2001	Case 1320	Digital drawing submittal requirements
October 1, 2001	Case 1340	Delete Recording Certification from document
November 3, 2003	Case 1448	Amend Article IV. Procedure, Section 3 Submittals Required Amend Article VI. Subdivision Design Criteria, Section 3 Lots, Paragraph B, adding Subparagraph 2
December 1, 2003	Case 1428	Amend Article V. Required Improvements, Section 3 Sidewalks, Item C Amend Article V, Section 3, Item C, adding Paragraph 4
July 5, 2005	Case 1589	Amend Article II. Interpretation, Section 3 Definitions Amend Article IV, deleting Section 13, inserting Section 12 Administrative Subdivision Review, and renumbering accordingly
August 1, 2005	Case 1590	Add Article VI, Section 5 Linear Park (Greenway) Trails
September 8, 2015	Case 1889	Amend Article IV, Section 12, Subsection K
June 3, 2019	Case 2055	Replace Article IV, Sections 12 through 14 with new Section 12 Administrative Subdivisions
	Case 2059	Amend Article IV, Section 11, Subsection F
September 9, 2019	Case 2069	Amend Article V Section 4, Subsection A
	Case 2070	Replace Article IV Sections 15 and 16 with new Section 13 Replats

## **ARTICLE I. GENERAL PROVISIONS**

### **Section 1. Title**

These Regulations shall hereafter be known, cited, and referred to as the "Subdivision Regulations" of Greene County, Missouri.

### **Section 2. Authority**

By authority of the resolution of the Greene County Planning Board, (hereinafter referred to as "Planning Board") adopted pursuant to the powers and jurisdictions vested through Sections 64.231 to 64.245, Chapter 64 of the 1978 Missouri Revised Statutes, and other applicable laws, statutes, orders, and regulations of the State of Missouri and County of Greene, the Planning Board 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 Board 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 Board; or
  - 2. Said plat has been approved by the Planning Board 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 the 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 the 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 the 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 adequate light, air, and privacy; to secure safety from fire, flood, and other danger; to prevent overcrowding of the land and 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 the 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; and
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 contains less than ten (10) 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 ten (10) acres, whether by deed, metes and bounds description, map, plat, or other recorded instrument; or
  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; and
5. Transfers to cemeteries.

- C. No land shall be subdivided within the unincorporated area of the County until the subdivider or their agent shall have submitted a plat of the parcel to the Planning Board through its Executive Secretary, i.e., Planning Director as designated by the County Commission, and obtained approval of the preliminary plat from the Planning Board, 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 Subdivisions of three (3) lots or less or replats may be approved administratively by the Executive Secretary, 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 II. INTERPRETATION

### 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. General Rules of Construction

Certain words used in these 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 Director shall have the right of interpretation, subject to approval of the Planning Board. 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 be 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 3. Definitions

- 1. **Administrative 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 IV, Section 13.
- 2. **Alley:** A passage or way affording generally a means of vehicular access to abutting properties and not intended for general traffic circulation.
- 3. **Applicant:** The owner of land proposed to be subdivided, or their legal representative. Written consent shall be required from the legal owner of the premises.
- 4. **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.
- 5. **Bond:** Any form of security, including a cash deposit, surety bond, collateral, property, or instrument of credit, in an amount and form satisfactory to the County. All bonds shall be approved by the County wherever a bond is required by these regulations.
- 6. **Building:** Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind.
- 7. **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.
- 8. **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.
- 9. **Commission, County:** The County Commission of Greene County, Missouri.
- 10. **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.

11. **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.
12. **Cul-de-sac:** A street having one (1) end open to traffic and being terminated at the other end by a vehicular turnaround.
13. **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.
14. **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, in which road rights-of-way are included.
15. **Developer:** Any person, firm, partnership, corporation, or other entity acting as a unit, subdividing or proposing to subdivide land as herein defined.
16. **Director:** Greene County Planning Director.
17. **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, and immunities thereto belonging, or in anywise appurtenanting.  
  
Maintenance of drainage easements and drainage facilities located within such an 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.
18. **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 Subdivision.
19. **Engineer:** A registered professional engineer in the State of Missouri.
20. **Frontage:** Lot width requirement measured at lot line abutting road right-of-way, or at the setback line on curved streets.
21. **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.
22. **Grid North:** Reference for north based on the Geographic Reference System of Greene County, Missouri, based on the Missouri Coordinate System of 1983, Central Zone.
23. **Improvements:** Physical construction or changes, such as clearing, grading, street surfacing, curbs and gutters, survey markers, sidewalks, crosswalks, culverts, bridges, water and sanitary or storm sewer lines, and other utilities.
24. **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.
25. **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).
26. **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.
27. **Lot, Corner:** A lot located at the intersection of, and abutting on, two (2) or more streets.
28. **Lot, Double Frontage:** A lot which has two (2) non-intersecting sides abutting on two (2) or more streets.



29. **Lot, Footprint:** A lot which is defined by the physical shape of the foundation of a structure.
30. **Lot Split:** A subdivision of a lot into two (2) or more parcels.
31. **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.
32. **Planning Board:** Greene County Planning Board.
33. **Plat, Final:** The final plan or drawing and any accompanying required data or information which is submitted to the Planning Board for final approval of a proposed subdivision and recording with the County Recorder of Deeds.
34. **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 Board for consideration and tentative approval.
35. **Property Description:** Descriptions of a lot, tract, or parcel by metes and bounds, by reference to a plat or by reference to government survey.
36. **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 Greene County or Greene County itself.
37. **Regulations:** The Subdivision Regulations of Greene County, Missouri.
38. **Replat:** A final plan or drawing and any accompanying required data, the purpose of which is to resubdivide lots or revise lot lines, easements, or other features on a previously recorded subdivision plat, subject to administrative approval.
39. **Right-of-way:** Area dedicated to provide for streets (and roads).
40. **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.
41. **Sidewalk:** A walk for pedestrians at the side of a street.
42. **Sketch Plan:** A drawing of the proposed layout for a tentative development as set forth in Article IV, Section 4 Sketch Plan.
43. **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 otherwise.
44. **Street Median:** Area separating opposing lanes of traffic which may consist of, but is not limited to, open space or concrete structures.
45. **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:
  - a. **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.
  - b. **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.
  - c. **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.

- d. **Cul-de-sac or Dead-end Street:** A minor street with only one (1) outlet.
  - e. **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.
  - f. **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 inter-city traffic movements.
  - g. **Local:** A street primarily providing direct access to abutting property and designed to accommodate low volume, low speed traffic.
  - h. **Marginal Access Street or Service Road:** A minor street which is parallel and adjacent to an arterial street and provides access to abutting properties and protection from through traffic.
46. **Street, Private:** Street under private ownership, control, and maintenance. Requires covenants approved by office of the Greene County Counselor to provide for maintenance.
47. **Subdivision:** The division of any tract of land into two (2) or more tracts, any of which contain less than ten (10) acres or involve 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 Subdivision.
48. **Surveyor:** A (registered) Professional Land Surveyor in the State of Missouri.
49. **Tract:** A defined area of land.
50. **Urban Service Area:** Areas surrounding cities, towns, or villages which are expected to connect to public sanitary sewer system and public water supply system as development occurs within the area. The expected area for development may be drawn on a map, but if topography allows, extension of services can expand beyond with appropriate political subdivision approval. Example: The City of Springfield grants an exception to the Urban Service Area by action of City Council.
51. **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, cables, fixtures, and appurtenances for the distribution and transmission of natural gas, water, and electric power and telephone, fiber optic cable, and other communications on, over, under, and across a tract of land.
52. **Watercourse:** A watercourse is land which has conformation so as to give to surface water flowing from one (1) 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 (1) tract and so situated as to gather up the surface water flowing upon the dominate tract and conduct it 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 (1) 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.
53. **Zoning Order:** The zoning order for Greene County, Missouri adopted by the Greene County Commission.

#### **Section 4. Conflict with Public and Private Provisions**

##### **A. Public Provisions**

These 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 provision 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 Regulations shall govern. Where the provisions of the easement, covenant, or private agreement or restriction impose duties and obligations more restrictive or of higher standard than the requirements of these Regulations, or the determinations of the Planning Board 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 adjudged 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 Board 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 5. Effective Date and Reservations**

These Subdivision Regulations shall become effective upon the recommendation of the Greene County Planning Board and adoption by the County Commission of Greene County, Missouri.

#### **Section 6. Amendments**

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

#### **Section 7. 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/her rests the duty of compliance with reasonable conditions laid down by the Planning Board for design, dedication, improvement, and restrictive use of the land, so as to conform to the physical and economic development of the County and to the safety and general welfare of the future lot owners within the subdivision and of the community at large.

**Section 8. 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 Board 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 (1) or more lots containing more than one (1) acre of land, and there are indications that such lots will eventually be resubdivided into smaller building sites, the Planning Board 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 9. 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 Board 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 all the owners of lots in such plat join in the execution of such writing.

## **ARTICLE III. ADMINISTRATION**

### **Section 1. Variations and Exceptions**

- A. General - Where the Planning Board 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 that the Planning Board shall not recommend variations unless it shall make findings based upon the evidence presented to it in each specific case that:
- i. The granting of the variation will not be detrimental to the public safety, health, or welfare, nor injurious to other property or improvements in the neighborhood in which the property is located;
  - ii. 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;
  - iii. 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 were carried out; and
  - iv. 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 these Subdivision Regulations.
- B. Conditions - In recommending variations and exceptions, the Planning Board may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these Regulations.
- C. 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 Board. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

### **Section 2. Records**

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

### **Section 3. Enforcement, Violations, and Penalties**

- A. General
1. Violations of these Regulations shall constitute a misdemeanor as provided in Chapter 64.295 of the 1978 Missouri Revised Statutes.
  2. It shall be the duty of the Planning Director of the Planning Board to enforce these Regulations and to bring to the attention of the County Counselor 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 Board, in accordance with these Regulations, and filed with the Greene 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 \$1,000.00 (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 64.295 of the 1978 Missouri Revised Statutes.

C. Civil Enforcement

Appropriate actions and proceedings may be taken by law or in equity pursuant to Section 64.295 of the 1978 Missouri Revised Statutes, to prevent any violation of these Regulations; to prevent unlawful construction; to recover damages; to restrain, correct, or abate a violation; or to prevent illegal occupancy of a building, structure, or premises. These remedies shall be in addition to the penalties described above.

## **ARTICLE IV. PROCEDURE**

### **Section 1. Purpose**

It is the purpose of this Article to outline and detail the subdivision platting procedure and provide guidelines for the preparation of plats and engineering reports.

### **Section 2. Administrative Procedure**

In the administration of these Regulations, the Director shall:

- A. Receive, officially accept, and review all applications for subdivisions within unincorporated Greene County.
  1. Applications are not officially accepted until fees and appropriate submittal forms 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 or fees paid, whichever date is later.
- B. Maintain current permanent files and records concerning all applications, Administrative Subdivisions, and subdivisions.
- C. Conduct inspections and review all applications for completeness and substantial compliance with the Greene County Zoning Regulations, Subdivision Regulations, and Design Standards for Public Improvements.
- 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 Board, County Commission, and County agencies in the exercise of their duties relative to these Regulations.
- F. At the regularly scheduled study session, the Director shall report to the Planning Board the approval of all final plats since the previous meeting.
- G. Perform such other duties and functions as required by these Regulations.

### **Section 3. Submittals Required**

All submittals shall be made to the Greene County Planning Division, 940 N Boonville Avenue, Springfield, Missouri 65802. Required submittals are as follows:

- A. Sketch Plan
  1. Five (5) paper copies of the sketch plan and one (1) electronic file (PDF);
  2. One (1) copy of the Sketch Plan submittal form signed by preparer and applicant(s); and
  3. Application fee as provided by the adopted fee schedule.
- B. Preliminary Plat
  1. Five (5) paper copies of the preliminary plat and one (1) electronic file (PDF);
  2. Two (2) paper copies of the engineer's report and one (1) electronic file (PDF);
  3. One (1) copy of the signed preliminary plat submittal form signed by preparer and applicant(s);

4. List of property owners within five hundred (500) feet of property boundary with mailing labels and postage at the current rate charged by the U. S. Postal Service;
  5. Application fee as defined by the adopted fee schedule; and
  6. Request for variation from the Subdivision Regulations fee as defined by the adopted fee schedule, if any.
- C. Construction Plans for Required Improvements
1. Five (5) copies of the street plans;
  2. Five (5) copies of the drainage plans;
  3. Five (5) copies of the sanitary sewer plans;
  4. One (1) copy of the final plat;
  5. One (1) copy of the signed construction plan submittal form signed by preparer and applicant(s); and
  6. Other required plans. Number of copies to be submitted will be specified by the Planning Director.
- D. Final Plat
1. Five (5) paper copies of the final plat and one (1) electronic file (PDF);
  2. One (1) copy of the signed final plat submittal form signed by preparer and applicant(s); and
  3. Application fee (administrative approval) as provided by the adopted fee schedule.
  4. After approval by the Planning Department, submit:
    - a. One (1) mylar with original signatures;
    - b. Five (5) paper copies for recording, addressing, and dissemination; and
    - c. AutoCAD “.dwg” file.
      - 1) A waiver of this requirement or approval of a different drawing format may be authorized on a case-by-case basis by the Planning Director.
      - 2) Submittal will be on an appropriate media, without signatures and will follow guidelines established by the Planning Department.
  5. Inspection and recording fees, including covenants if required by the County, as determined by the adopted fee schedule.

**Section 4. Sketch Plan**

The sketch plan is intended to be conceptual in nature and, while accuracy and legibility is essential, the submission of detailed finished plans is 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. Subdividers are encouraged to discuss possible development sites and issues with the Planning Director and 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” = 2,000’ to the inch, showing:



- a. Section, township, and range;
  - b. Quarter section lines;
  - c. Major roads within and adjacent to section;
  - d. Major roads and streets, labeled; and
  - 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 (10) feet;
    - b. Drainageways and water bodies;
    - c. Floodplains;
    - d. Sinkholes, springs, caves, and other significant karst features; and
    - e. Fault, fracture trends, and photolineaments as shown on Plate 2 of Hydrogeologic Mapping of Greene County, Missouri, prepared by Thomas Aley and Kenneth C. Thomson, June 1961, which shall be shown when developing in the following districts:
      - i. A-1, Agriculture and A-R, Agriculture-Residential Districts.
      - ii. Any other district developing on septic systems.
  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; and
    - e. Other proposed utilities such as electricity, natural gas, etc., and name(s) of supplier(s).
  9. Name and address of consultant.
- C. The sketch plan shall be reviewed by the Planning Department for the following criteria:
1. Compliance with the Greene County Comprehensive Plan with particular emphasis on the Major Thoroughfare Plan.
  2. Compliance with the Greene County Zoning Regulations.
  3. Basic compliance with the Greene County Subdivision Regulations and Design Standards for Public Improvements.

4. Compliance with regulations and policies concerning environmental factors, such as floodplain, drainageways, downstream flooding, sinkholes, caves, etc.
- D. The Director may submit the sketch plan for the review and comment of other agencies and departments as is deemed necessary.
- E. Within fifteen (15) working days of receiving the sketch plan, the Director 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 Director's decision to the Planning Board.
- G. Appeal of the Director's decision must be submitted to the Planning Director no less than thirty (30) days prior to the regular Planning Board 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 fee schedule adopted by the Greene County Planning Board for current fee.

## **Section 5. 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 shall be filed with the Planning Department no less than thirty (30) days prior to the regularly scheduled Planning Board 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 inches. To allow a complete drawing on one (1) page, the Director may approve 36 x 48 inches 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 (1) page, the Director 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 list 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' to the inch, showing:
  - Section, township, and range
  - Quarter section lines
  - Major roads within and adjacent to section
  - Major roads and streets, labeled
  - 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 and the Airport Zone;
  
- 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 (1) of the following:
  - i. National Geodetic Vertical Datum (NGVD), 1929;
  - ii. North American Vertical Datum, 1998;
  - iii. Missouri Department of Transportation;
  - iv. Springfield Benchmarks; or
  - v. Other acceptable and recognized reference.
  
- k. Existing and physical features, including drainageways and water bodies; sinkholes, springs, caves, and other significant karst features; or 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, watercourses, 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 structures and tree masses within the property boundaries;
  
- p. The full plan of development, including the following information:
  - i. 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;

- ii. The approximate dimensions of all lots with lots numbered in an orderly manner; and
  - iii. 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 fee schedule adopted by the Greene County Planning Board for current fee.

**Section 6. 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 according to the current Comprehensive Plan;
  - 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; and
  - 5. Location and size of drainage structures or constrictions located within five hundred (500) feet [downstream] of the site. Location and size of structures 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); and
    - 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. Subdivisions 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 Department prior to the study session of the Planning Board.
2. Subdivisions that are not serviced by a public sewer collection system and are fourteen (14) lots in size or fewer 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 Greene County Planning Department:
  - a. A map showing soil types as shown on the USDA Soil Survey for Greene and Lawrence Counties, 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. Groundwater contamination category based upon information on file in the Planning Department office; and
  - g. 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 onsite wastewater treatment systems.

G. Traffic Analysis/Street Capacity

1. Estimated trips per day for each outlet from the proposed development 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 Board, depending on the effects that additional traffic from the development may 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 a sheet size of 8½ x 11 inches.

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; and
6. Schematic diagram showing significant natural features such as a stand of trees, sinkholes, rock outcroppings, springs, etc.

**Section 7. Preliminary Plat Approval**

A. Planning Board Review

1. The Planning Board will review the plat to determine if it meets the standards as set forth in these Regulations. The Planning Board may also discuss the plan with appropriate officials of municipalities nearest to the subdivision. The Planning Board 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 Board has reviewed the preliminary plat, the report of the Planning Director of Greene County, any municipal protests or recommendations, and testimony and exhibits submitted at the public hearing, the applicant shall be advised of any required amendments. The Planning Board shall approve, amend, or deny the preliminary plat at the regular meeting of the Planning Board. The Planning Director shall specify in writing to the developer, or developer's legal agent, the action taken by the Planning Board, including any amendments which will be required prior to filing a final plat, or the reasons for denial.
  - b. Public Improvements - The Planning Board may require that all public improvements be installed and dedicated prior to the recording of the plat by the Planning Director of Greene County. If the Planning Board does not require that all public improvements be installed and dedicated prior to signing of the subdivision plat by the Planning Director of Greene County, the developer may establish a bond or other suitable security to guarantee the completion of the required improvements. The amount of the bond or other suitable security shall be established by the Greene County Highway Department and the Planning Department. The bond or security instrument shall be submitted by the applicant for review by the Greene County Counselor for approval prior to the submittal of mylars for recording of final plat.

**Section 8. Preliminary Plat Appeal of Denial**

- A. In the event the Planning Board does not approve the request for a preliminary plat, the applicant may appeal to the County Commission 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 County Commission to the Planning Director, requesting to be placed on the next available County Commission agenda. Submittal deadlines shall comply with the calendar of submittals for public hearings.
- C. 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, the preliminary plat, and any easements or other encumbrances of record.
- E. The County Commission shall hold a public hearing on the preliminary plat and shall review any recommendations from agencies or officials, and testimony and exhibits submitted at the previous public hearing.
  1. If approved, the County Commission shall express its approval and state the conditions of approval, if any, and instruct the Planning Director to follow final plat procedures culminating in the recording of the final plat when all requirements have been met.

2. If denied, the County Commission shall express its disapproval and its reasons therefore and instruct the Planning Director to notify applicants 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 County Commission.
- F. If approved by the County Commission, the Planning Director 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 of the County Commission action.
  - H. Fee for Appeal of Denial of Preliminary Plat - Refer to fee schedule adopted by the Greene County Planning Board for current fee.

**Section 9. 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 Department. The Planning Department shall distribute the plans to the appropriate reviewing agency. After comments are received from the reviewing agency, revised plans may be resubmitted directly to the reviewing agency.
- C. The reviewing agency shall notify the Planning Director in writing when the construction plans have been approved.
- D. Street and road plans shall meet the requirements of the Greene County Design Standards for Public Improvements and must be approved by the Greene County Highway Administrator.
- 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 Greene County Stormwater Design Standards and the Zoning Regulations and shall be approved by the Greene County Stormwater Engineer.

**Section 10. 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 Department for approval and subsequent recording.
- C. The Director may either approve the final plat, require changes in writing, or refer the final plat to the Planning Board. Required changes shall be forwarded to both the developer and surveyor in writing. (See Article IV, Section 11 Final Plat Review Procedure.)
- D. The developer has the right to appeal the Director's decision to the Planning Board. The appeal must be filed thirty (30) days prior to the regular Planning Board 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 two (2) years after each phase to record the final plat for the next phase.
- F. The Planning Board 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 Board 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.

G. 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. Scale used for the plat shall be an increment of ten (10). The use of other scales must be approved by the Planning Director.
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 Director.
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 Greene 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;
  - 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. Property description of the entire tract being platted including any area to be dedicated to right-of-way, stating the bearing and distance of all lines and sufficient data for all curves to define a closed figure, referenced to the U.S. Public Land Survey System;
  - f. A listing of the following information:
    - Total acreage of the development
    - The acreage of each isolated portion, if applicable
    - Total number 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 replats, date final plat was recorded
  - g. 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;
  - h. Multiple-phase subdivisions shall be named in succession, i.e., 1<sup>st</sup> addition, 2<sup>nd</sup> addition, etc.
  - i. 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 to each other. 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;
  - j. Ownership of all unplatted land immediately adjacent to the development;



- k. Names of all adjoining platted subdivisions;
- l. Lot lines and lot numbers for adjoining platted lots. Broken or half-tone lines shall be used;
- m. Location map at a scale of 1" = 2,000' to the inch, showing:
  - Section, township, and range
  - Quarter section lines
  - Major roads within and adjacent to section
  - Major roads and streets, labeled
  - Location of subdivision, shaded
- n. Total width of existing rights-of-way and dimension from right-of-way line(s) to centerline of rights-of-way;
- o. Width of any additional right-of-way to be dedicated;
- p. Dimensions of existing or proposed easements or other land to be dedicated to public or community use;
- q. 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;
- r. Location of all existing and recorded streets and road rights-of-way that intersect the tract boundaries;
- s. Complete curve data for all curves included in the plat, including radius, central angle, tangent, arc length, long chord length, and long chord bearing;
- t. Street centerlines with dimensions and bearings;
- u. Street names and rights-of-way. Right-of-way widths must conform to the Major Thoroughfare Plan. Street names shall comply with the 9-1-1 addressing network;
- v. Location, description, and reference datum for at least one (1) permanent benchmark, on or near the site;
- w. Location of all permanent and semi-permanent monuments, including material, type, and surveyor's registration number. Notes regarding location and elevation are acceptable;
- x. All required easements labeled as to their intended purpose;
- y. Right-of-way triangles for street intersections;
- z. 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 Department shall also be shown;
- aa. Limits of all special districts, such as overlay zones or the one hundred (100) year floodplain;
- bb. 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 Greene County and provided by [Insert name of registered engineer], who determined the elevations."
- cc. Minimum floor elevations for gravity sanitary sewer service where required by municipality;
- dd. Any amendments required by the Planning Board; and
- ee. Notes (Please refer to Appendix A for examples which can be modified as necessary.)

6. The following certificates, where applicable, shall be shown on the plat: (Please refer to Appendix A 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.
  - 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.
  - d. Certificate of Approval by the Executive Secretary of the Planning Board.
  - 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 Greene 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 Greene County Counselor;
  - b. A security agreement (see Appendix E for standard agreement) executed by a state or federally chartered bank or savings and loan, a corporate surety which shall:
    - i. Run or be made payable to the Greene County Treasurer;
    - ii. Be in an amount determined by the County, based upon the recommendation of the Highway Administrator and Planning Director, to be sufficient to complete the improvements and installation in compliance with these Regulations; and
    - iii. 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.
  
- H. Fee for the Final Plat - Refer to fee schedule adopted by the Greene County Planning Board for current fees.

**Section 11. Final Plat Review Procedure**

- A. Eighteen (18) paper copies (Refer to Article IV, Section 3 Submittal Requirements)
- B. County's submittal form
- C. Administrative review fee plus twenty dollars (\$20.00) per lot (Engineering or final plat, whichever is submitted first). All other fees are paid upon approval of mylar submittal. Replats must also submit a recording fee.
- D. Review of Plat
  1. Department will distribute plat to various governmental and utility companies for comment.
  2. Department staff will review for compliance with Subdivision Regulations.
  3. Reviews will be sent via fax or mail to owner(s)/developer(s) and consultant.

4. Consultant is to resubmit three (3) paper copies of plat reflecting required changes. The Department will re-review the plat and notify owner(s)/developer(s) and consultant of any additional changes required.
  5. Plats which meet requirements of Subdivision Regulations are submitted to the Greene County Assessor's Department for verification of title to property as shown on the final plat.
  6. When plat meets all requirements of all reviews, owner(s)/developer(s) and consultant are notified that they may submit three (3) mylar copies and twenty (20) paper copies.
  7. Before a plat can be recorded, all real estate taxes due on December 31<sup>st</sup> of the prior calendar year (assessment year) must be paid. This certification is obtained by the Department just prior to the actual recording of the plat.
- E. To record a plat prior to the acceptance of all public improvements by the appropriate governmental authorities, a security agreement in an amount approved and signed by the Greene County Highway Administrator and Director of Planning and Zoning shall be placed in the file. A valid letter of credit requires signatures of both the Highway Administrator and Planning Director. The letter of credit shall be of an amount sufficient to complete the required public improvements for the subdivision, including but not limited to streets, sanitary sewers, sidewalks, and stormwater control measures.
1. The security agreement shall be submitted to the "plat coordinator" in the Planning Department who will forward it to the appropriate individuals for signatures.
  2. Upon signed approval, plat may be recorded if all other platting requirements have been met.
- F. Covenants shall be required for subdivisions which have common area and shall be approved by the Greene County Counselor prior to the recording of the subdivision plat. No final plat shall be recorded prior to the formation of a Property Owner's Association and transfer of common open space ownership and maintenance responsibilities to said Association.

**Section 12. Administrative Subdivisions**

**A. When Required**

An administrative subdivision is required when any unplatted tract which contains less than ten (10) acres is created, reconfigured, or joined to another tract.

- B.** The Planning Director has the authority to approve Administrative Subdivisions when all of the following requirements are met:
1. Not more than three (3) tracts which contain less than ten (10) acres each shall be created, inclusive of any tract retained by the owner.
  2. Each tract must follow the requirements of the zoning district within which it is located at the time of application.
  3. Each tract must be lawful under these Regulations at the time the existing property description was recorded.
  4. The configuration of the property shall have been created by a court decree or order resulting from testamentary or intestate provisions. Such property configuration must comply with the zoning district regulations within which it is located or have had a variance granted by the Board (of Zoning Adjustment).
  5. Minimum lot area for the zoning district, excluding area dedicated for additional right-of-way complying with the adopted Greene County Major Thoroughfare Plan, shall be met.
  6. Additional right-of-way required for future road improvements any other required public improvement may be provided without substantially reducing the usable space of any tract being considered.
  7. Any proposed tract(s) without direct access to a public road must be served by a private ingress/egress easement at least thirty (30) feet in width.

8. Future development of all adjacent tracts shall not be hampered. Access through the proposed tracts may need to be provided to adjacent tracts impeded by environmental or topographic issues.
9. No tracts shall be created that are impaired by environmental factors, such as sinkholes or floodplain, to the extent that successful development of such tracts becomes questionable.
10. Where proposed tract(s) have access to public services such as sanitary sewer, the Planning Director shall consider whether lots created will be consistent with those in the surrounding vicinity, including existing subdivisions. With the creation of lots adjacent to existing recorded subdivision lots on a common street/road, tract frontage shall meet step-down provisions of these Regulations.
11. The proposed subdivision shall not result in public service requirements nor interfere with the maintenance of existing services.
12. The granting of the Administrative Subdivision shall not conflict with the intent of these Regulations.

C. Application Submission Requirements

1. A completed application form containing notarized signatures of all owners;
2. Copies of land descriptions for each proposed tract and that of any additional right-of-way being surrendered;
3. Warranty deed form for additional right-of-way containing notarized signatures of all owners, applicable only to newly created tracts that are less than ten (10) acres in size and adjacent to one (1) or more public rights-of-way;
4. A copy of the most recently recorded deed for all property being reviewed;
5. Fees, to include those for the recording of the land survey and Certification of Approval; and
6. Land survey of the property proposed for Administrative Subdivision, prepared by a land surveyor who is registered to practice in the state of Missouri, complying with the current Missouri Minimum Standards for Property Boundary Surveys, and including the following:
  - a. Monuments at each corner;
  - b. Certificate of Approval signature block for the Planning Director;
  - c. All easements of record;
  - d. Full right-of-way for all adjacent streets;
  - e. Additional right-of-way required to comply with the road classification(s) as dedicated in the adopted Greene County Major Thoroughfare Plan;
    - i. Right-of way, existing and additional shall be shown as one (1) combined tract.
    - ii. The survey shall delineate existing and additional right-of-way.
    - iii. Right-of-way shall be shown on the survey as an adjoining tract, and monuments shall be set at all corners of said right-of-way, including corners on the existing centerline, points of curvature, and points of tangent.
  - f. The centerline alignment for County roads, determined by the land surveyor and subject to review and approval by the Greene County Highway Department using the following criteria:
    - i. The centerline alignment is intended to coincide with the existing pavement centerline.
    - ii. The centerline alignment should minimize points of intersection and curves by disregarding minor pavement meanderings.

- iii. The centerline alignment beyond the boundaries of the Administrative Subdivision should be considered for future right-of-way surveys.
- g. Centerline and right-of-way descriptions referenced to United States Public Land Survey corners and land lines established between United States Public Land Survey corners;
- h. Description complete enough that the described tract of land may be located and identified. All right-of-way descriptions shall be subject to review and approval by the Greene County Highway Department;
- i. The direction of boundary lines shown on plats or for preparation of property descriptions, referenced by direct angles or by azimuth to established land lines between United States Public Land Survey corners; and
- j. Complete curve data for all curves, including radius, central angle, tangent, arc length, long chord length, and long chord bearing; (For preparation of property descriptions, the long chord bearing and two (2) elements of the curve shall be required.)
- k. Standard thirty-foot (30') sight triangles at the intersections of all public roads;
- l. Rims of all mapped sinkholes;
- m. Boundaries of all mapped 100-year floodplain;
- n. All existing structures;
- o. A location map at a scale of 1" = 1,000', including quarter-section lines and major roads; and
- p. Owner(s) names and contact information.

D. Other Review Requirements

1. The Planning Director has the authority to waive the requirement for a survey in instances where they feel a survey review would be unnecessary. Examples include:
  - a. A property line adjustment that occurs between two (2) tracts that are both ten (10) acres in size or larger
  - b. The establishment of a tract as legal, in which no property lines changes from the current configuration are proposed.
2. For each Administrative Subdivision that results in the need for one (1) or more private drive signs, the applicant(s) must ensure the materials, labor, and life cycle costs of providing said signage in accordance with Greene County Highway Department requirements. The cost of the sign is to be reviewed and established by the Greene County Planning Board during public hearing.
3. The Planning Director, may submit the survey and/or all relevant information to other agencies and departments as necessary, and may require submission of additional or supplemental information, materials, and/or documents that they deem necessary to determine compliance with all Zoning and Subdivision Regulations.
4. The Planning Director may require the attachment of restrictions and/or conditions to the property descriptions(s) to be recorded.

E. Approval Procedure

1. If the Administrative Subdivision application is approved, the Planning Director shall notify the application of approval in writing.

2. If approved, the Certificate of Approval of Administrative Subdivision and survey shall be recorded in the Office of the Recorder of Deeds.
3. If there are conditions placed on the approval, these will be stipulated on the recorded Certificate of Approval.
4. A copy of the recorded Certificate of Approval showing book, page, and date of recording will be provided to the owner(s).

**F. Denial and Appeal Procedures**

1. If an application is denied, the owner and/or representative shall be notified by mail specifying the reason(s) for denial.
2. In the event of denial, the owner/applicant may file an appeal for approval to the Planning Board.
3. Appeals must be made in writing and include an explanation of reasons for appeal, a copy of the survey and all materials, and a request to be placed on the next available Planning Board agenda. A fee is required for the appeal to be considered by the Planning Board.
4. The applicant and/or representative must appear at a public hearing of the Planning Board in order to provide testimony and answer questions regarding the appeal.
5. The Planning Board shall review the written request, all related materials and agencies or officials, and testimony and exhibits submitted at the public hearing.
6. The action taken and the reason(s) therefore shall be entered into the official Planning Board minutes for future reference.
7. If the request is approved, the Planning Board shall express its approval with any applicable conditions and instruct the Planning Director to sign and file the appropriate materials with the Recorder of Deeds.
8. If the request is denied, the Planning Board shall express its disapproval and reasons therefore and instruct the Planning Director to notify the applicant(s) of the Board's determination.
  - a. If the request is denied by the Planning Board, the applicant(s) may appeal to the County Commission within ninety (90) days of the Planning Board action.

**Section 13. Replats**

- A. A replat is required when a lot or lots that have previously been recorded as part of a subdivision plat are further divided, joined together, or reconfigured, or when a feature recorded on a lot, such as an easement or setback line, is being altered. Replats are limited to three (3) new lots being created. If four (4) or more lots are created, a new plat is required.
- B. Replats shall follow the same review procedures as a Final Plat, with the following exceptions:
  1. Four (4) paper copies and one (1) electronic file (PDF) of the survey shall be submitted.
  2. The survey may be 24 x 36 inches or 18 x 24 inches.
  3. A completed submission form and copy of the ownership deed are also required at the time of application.
  4. Security agreements do not apply to replats.
  5. Covenants shall transfer from the original plat that said lots were a part of.
  6. The scale of the required location map on the survey may be 1" = 2,000' or 1" = 1,000'.
  7. A Certificate of Ownership may be substituted for a Statement of Dedication.
  8. Lot numbers within the replat shall begin with 1. Original lot numbers shall not be used.

- C. The review process for Replats is as follows:
1. Once an application is submitted, staff will distribute the survey to various commenting agencies and departments.
  2. Staff will review the proposed replat for compliance with Subdivision and Zoning Regulations.
  3. The initial review period extends approximately fifteen (15) days from the date of application.
  4. Once the review period has ended, the consultant will be contacted via email and notified of any changes or modification to the survey that will be required based on comments and staff review. The consultant may submit revisions of the survey electronically.
  5. Once all requirements are met, the consultant will be notified via email. One (1) mylar copy and four (4) printed copies of the survey shall be submitted for recording. Submissions must be signed by all owners. Replats are subject to a recording fee.
  6. Replats which meet all requirements of Subdivision and Zoning Regulations are submitted to the office of the Greene County Assessor for verification of title to the property, as shown on the survey.
  7. Replats are also reviewed by the office of the Greene County Collector prior to recording to ensure that all real estate taxes due on December 31<sup>st</sup> of the previous calendar year (assessment year) have been paid.

**Section 14. Plot Assignment Districts**

- A. In case of Plot Assignment Districts (PAD) which are approved by the Planning Board and County Commission in accordance with the provisions of the Greene County Zoning Order, the submittal procedures for sketch plan, preliminary plat, and final plat must be followed. The Planning Board may grant such amendments as are necessary in the final plat to accomplish the purposes of the approved PAD.
- B. With the approval of the overall development plan during public hearing, the Planning Board and County Commission may grant such variances and/or amendments to the Subdivision Regulations as deemed appropriate to accomplish the purposes of the Plot Assignment District. Variances may include, but are not limited to, width of streets, length of culs-de-sac, location of sidewalks, lot sizes, etc.

## ARTICLE V. REQUIRED IMPROVEMENTS

### Section 1. Monuments and Markers for Major Subdivisions, containing 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 Board, all streets shall be public streets.
- B. Public streets shall be designed and constructed in accordance with the Greene County Design Standards for Public Improvements.
- C. Street layout shall conform to the Major Thoroughfare Plan.
- 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 by the designation of the road on the Major Thoroughfare Plan.
- 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 MoDOT in the location and at the width shown on the approved plan for acquisition by the County or State.
  1. Dedication shall be from the existing centerline of the road.
  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. The right-of-way identified on the Major Thoroughfare Plan Map will be dedicated, while the developer will be required to construct the road to collector road standards.
- 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 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 Greene 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 (1) or two (2) subdivisions. The functional classification of streets is listed in the Greene County Transportation Plan. Based on the classification and spacing recommendations in this plan, the spacing for these roads will be approximately:
  - a. Collector  $\frac{3}{8}$  mile ( $\pm \frac{1}{4}$  mile)
  - b. Secondary Arterial  $\frac{3}{4}$  mile ( $\pm \frac{1}{4}$  mile)
  - c. Primary Arterial 1  $\frac{1}{2}$  miles ( $\pm \frac{1}{2}$  mile)
  - d. Expressway 4 miles ( $\pm 1$  mile)
  - e. Freeway 5 miles ( $\pm 1$  mile)
2. Local streets should provide connection in the four (4) cardinal directions, i.e., north, south, east, and west. Their spacing should be, as recommended by the Transportation Plan, approximately  $\frac{1}{8}$  mile (660 feet). 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 landlocked 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 cross floodways. If a trail system or other pedestrian system exists in the floodway or floodplain or is proposed by the Greene County Comprehensive Plan, then access to the trail must be provided if the local street does not cross the area. Collector or higher-status roads should cross floodways to insure that the transportation system is continuous. At a minimum, the developer must dedicate the right-of-way to allow the crossing.
  - b. Local streets should not be extended where it will result in streets that cannot reasonably meet Greene County Design Standards for grades, sight distance, etc.
  - c. Local streets shall not be extended to the right-of-way of limited-access thoroughfares.
  - d. Local streets, collectors, and higher-status roads should not be extended across significant natural or environmental features as identified by the Greene County Comprehensive Plan.
  - e. Local streets, collectors, and higher-status roads should not be extended to public-owned land unless needed for circulation on the public land.
  - f. 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. Streets shall be named so as to conform to existing street names and avoid duplication. Streets names must be approved by the Planning Department during the plat review process.
9. Private Streets
  - a. Private streets shall be permitted only with the approval of the Planning Board and 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 office of the Greene County Counselor 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 Greene County Design Standards for Public Improvements. Any private street located within an ingress/egress, utility, or drainage easement shall have the same width as the right-of-way provided for local streets in the Greene County Design Standards for Public Improvements.
  - 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 Greene County Design Standards for Public Improvements. Signs shall be provided at the developer's expense, but shall be installed by the Greene County Highway Department.
10. Private Drives
  - a. A private drive, exempt from standards for public streets, may be utilized by no more than three (3) tracts without public road frontage (Administrative Subdivision only).

- b. A private drive that serves more than one (1) lot must have a sign that meets requirements of the Emergency Management Department. Signs shall be paid for by the developer, but shall be installed by the Greene County Highway Department.
- c. Greene County Highway Department must review proposals to directly access any County farm roads.

**Section 3. Sidewalks**

A. Sidewalks shall be required as follows:

**Local Streets:**

Single-family residential areas with a minimum lot size of one-half (1/2) acre or more:	No sidewalks required
Single-family residential areas with lots less than one-half (1/2) acre in size:	One (1) side of each local street
All other residential and commercial zoning classifications:	Both sides of each local street
<b>Collectors:</b>	Both sides of the street
<b>Secondary Arterials:</b>	Both sides of the street
<b>Primary Arterials:</b>	Both sides of the street
<b>Expressways:</b>	Both sides of the street

B. Sidewalks shall be constructed in conformance with requirements set forth in the Design Standards for Public Improvements.

C. Exterior sidewalks are those sidewalks along collector or higher-status roads that are adjacent to a subdivision and not an integral part of the subdivision.

- 1. These streets do not require sidewalks on both sides. This can sometimes be an unreasonable burden to place on a developer when the County road does not easily accommodate the addition of sidewalks on the developer's side.
- 2. Instead of requiring a developer to construct exterior sidewalks, all developers will pay to Greene County the estimated cost of the sidewalks if they are platting a subdivision that is adjacent to a collector or higher-status road. That cost will be estimated as the cost per linear foot of sidewalk along the collector or higher-status road. The cost per linear foot will be reviewed and established by the Greene County Planning Board during public hearing.
- 3. These funds will be held by the County to be used for sidewalk installation when the collector or higher-status road is presently scheduled to be brought in compliance with Greene County Design Standards. If the road improvement is not scheduled at the time final plat fees are collected, the County may, if a high-priority need for sidewalks is found in the Greene County Quadrant in which the funds are collected, spend the funds for sidewalk improvements at such alternate site. A high-priority need could include such things as sidewalks in the vicinity of a new school, park, or community facility, or other pedestrian system needs as identified by the Greene County Comprehensive Plan.
- 4. Sidewalk and Transportation Improvements for Subdivisions Outside an Urban Service Area - If no high-priority need(s) for sidewalks is identified for a subdivision outside an Urban Service Area or within the Greene County Quadrant in which the proposed subdivision is to be platted, the funds could be used to improve other transportation-related facilities in the same Quadrant as the proposed subdivision whose modifications are reasonably attributable to the subdivision. Other related facilities could include such things as overlaying a roadway, improving an intersection, curve, drainage facility, or other transportation system need(s) as identified by the Greene County Highway Administrator.

D. Fee for Sidewalks - Refer to fee schedule adopted by the Greene County Planning Board for current fee.

**Section 4. Wastewater Disposal**

- A. Subdivisions proposed with lots, any of which contain less than three (3) acres, excluding right-of-way, 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 Department of Natural Resources.

**Section 5. 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, or community water supply 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 of no greater than six hundred (600) feet.
- C. In the A-R, Agriculture-Residence Zoning District, where there is no availability for water supply and distribution system meeting the requirements of Paragraph A above, a single well and distribution system meeting the requirements of the Missouri Department of Natural Resources shall be provided.
- D. In the A-1, Agriculture District, private wells meeting the requirements of the Missouri Department of Natural Resources may be utilized for water supply.
- E. Public water supply lines shall be extended to adjacent undeveloped properties.

**Section 6. Storm Drainage**

- A. Storm Drainage System

Subdivision 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; and
- 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 as provided in Article IV, Section 25 Stormwater Runoff of the Greene County Zoning Regulations. Detention facilities shall be designed in accordance with the Greene County Stormwater Design Standards.

- C. Erosion and Sediment Control

Measures shall be provided to minimize erosion and discharge of sediment as required in Article IV, Section 27 Sediment and Erosion Control Regulations of the Greene County Zoning Regulations. Erosion and sediment controls shall be designed in accordance with the Greene County Stormwater Design Standards.

- D. Best Management Practices for Water Quality Protection

Best Management Practices (BMP) 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 Greene County Stormwater Design Standards.

E. **Drainage Easements**

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. Drainage easements shall extend to a point where the upstream drainage area is no greater than five (5) acres for single-family residential areas with a minimum lot size of one (1) acre, or where the upstream drainage area is no greater than two (2) acres for all other types of development.

All components of the storm drainage system, including detention basins, shall be contained within the drainage easement. Minimum width of drainage easements shall be set forth in the Greene County Stormwater Design Standards.

**Section 7. Street Signs**

- A. Street name signs shall meet the requirements of the Design Standards for Public Improvements.
- B. Public and private street name signs shall meet the requirements of the Design Standards for Public Improvements. Names must be approved by the Greene County Planning and Zoning Office.
- C. Street signs will be installed by the Greene County Highway Department at the expense of the developer. Cost of signs will be the County's actual cost and will be established by the County Highway Administrator.

**Section 8. 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 Greene County Highway Administrator for road and paving improvements located in public road rights-of-way or private road easements; and the County Stormwater Engineer 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 copies of design plans in a format acceptable to the Planning Director shall be filed with the Planning Director prior to acceptance of the improvements by the County Commission.

## **ARTICLE VI. SUBDIVISION DESIGN CRITERIA**

### **Section 1. Compliance with Comprehensive Plan**

- A. The subdivision layout shall conform to the official Thoroughfare Plan and other elements of the Comprehensive Plan. Wherever a tract to be subdivided embraces any part of a highway, arterial, or collector street so designated on the site plan, such part of such public way shall be platted by the 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-status 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 staff will review all available data relating to a proposal and determine all street/road extensions to adjacent undeveloped properties.
- 5. The distance between centerlines 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 Design Standards for Public Improvements, depending upon street classification.

#### **B. Culs-de-sac**

- 1. Culs-de-sac shall be permitted only on local residential and commercial streets.
- 2. Culs-de-sac shall be designed in accordance with the Design Standards for Public Improvements.

#### **C. Alignment**

- 1. Horizontal and vertical alignment of streets shall be designed in accordance with the Design Standards for Public Improvements.
  - a. Minimum right-of-way widths and width of paving shall be as specified in the Design Standards for Public Improvements.
  - b. Additional street right-of-way widths may be required by the Planning Board in specific cases, and by the Planning Director on Administrative Subdivisions.
    - 1) The subdivision fronts on a street which is presently below the minimum street width standards established herein.
    - 2) Increased street width standards are required by the Greene County Comprehensive Plan or Major Thoroughfare Plan.
    - 3) The centerline of the planned street shall be an equal distance from the respective street right-of-way line.

#### **D. Street Paving**

- 1. Street pavement thickness, design criteria, and material specifications shall be as set forth in the Design Standards for Public Improvements.

- 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 Design Standards for Public Improvements.
  - 3. Additional right-of-way shall be provided at street intersections as specified in the Design Standards for Public Improvements.

**Section 3. Lots**

- A. Lot sizes and building setback requirements shall conform to the minimum standards established in the Greene County Zoning Regulations.
- B. All residentially zoned lots shall abut the street. 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 local residential street on one (1) side of the lot, across the lot to the other residential street, shall be permitted.
- C. Whenever in any new subdivision there shall be lots platted which are immediately adjacent to lots in an existing subdivision and fronting on a common street, the following special requirements for lot frontage in the new subdivision shall apply:
  - 1. The first platted lot in a new subdivision lying immediately adjacent to a lot in the existing subdivision shall have a frontage on the common street of at least ninety percent (90%) of the existing adjacent lot, provided that the frontage required for the new lot shall not be required to exceed ninety (90) feet.
  - 2. The next two (2) lots in the new subdivision adjacent to the first new lot and fronting on the common street, if there be that many, shall have the following minimum frontages on the common street:
    - a. The second lot, adjacent to the first, shall have a frontage on the common street of at least ninety percent (90%) of the first new lot;
    - b. The third lot, adjacent to the second, shall have a frontage on the common street of at least ninety percent (90%) of the second lot.

Notwithstanding the frontage calculations required above, no lot shall be reduced beyond the minimum frontage required by Greene County Subdivision Regulations.
- D. Single-family and duplex lots shall not be designed to front on collector or higher-status streets.
  - 1. Driveways shall not directly access collector or higher-status streets.
- 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 (1) a lot, (2) dedicated to and accepted by the governmental authority, or (3) designated for a particular use with covenants approved by the Greene County Counselor to ensure continued maintenance.

- H. The side yard requirements for corner lots adjacent to the street shall be one-half (½) 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 (½) of the existing or required front yard of the lot to the rear of the corner lot, whichever is less.

**Section 4. Easements and Alleys**

- A. Ingress/egress easements, when required, will be a minimum of thirty (30) feet in width. These easements should generally be centered on or adjacent to lot lines.
- B. Private alleys and cross-access easements will be allowed when approved by the Planning Board, provided adequate provision is made through covenants for maintenance. Public alleys are prohibited.
- C. Drainage easements shall be required as stated in Article V, Section 6, Subsection 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, and 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 Board 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 corridor as identified by the Greene County Comprehensive Plan. New linear park trail easements shall generally follow the alignment identified in the Greene County Comprehensive Plan and/or be located within the subdivision in such a manner that they align with previously established easement on adjacent sites.

- B. Walkway Access to Linear Park Trails

Where a linear park trail identified in the Greene County Comprehensive Plan is to be located within a subdivision or on an adjacent parcel, the Planning and Zoning Board 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 street 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 Board may require additional walkways and pedestrian access easements 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 Board in the following instances:

1. Whenever a proposed or existing block exceeds thirteen hundred and twenty (1,320) 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; or
5. To provide access to adjacent parcels that provide, or are projected to provide, walkways to those facilities identified in items (2) (3) and (4) above.
6. 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.

D. Definitions

1. **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.
2. **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, and other public facilities.

E. Objectives - To implement the goals and objectives in the Growth Management and Land Use, Neighborhoods, and Parks, Open Space, and Greenways elements of the Greene County Comprehensive Plan by creating standards for the provision of access points from private developments to linear park trails. These objectives were reaffirmed by the Greene County Commission as a result of their adoption of the Vision 20/20 Strategic Plan - 5 Year Action Plan. This section will implement two (2) of the “Year One Actions.”

1. Year One (1) Actions:

New developments should make connections to existing trails or dedicate easements to accommodate connections to future trails as outlined in Figure 3 of the Parks, Open Space, and Greenways element of the Comprehensive Plan.

The sidewalks ordinance should be revised to require any development containing or abutting an existing or proposed greenway provide a minimum of one (1) greenway connection to provide all residents within a development access to the greenway.

2. These actions recognize that the linear park trail system is underutilized today. While the linear park trails are used as recreational amenities by a large number of citizens of Greene County, the lack of direct access points to the trail from adjacent developments significantly diminishes the effectiveness of the linear park trail system to serve as an extension of the non-motorized transportation system.