

Boone County Resource Department and
Boone County Planning and Zoning Commission
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Ladies and gentlemen,

Boone County has recently proposed revising its subdivision regulations. While I agree that revisions are needed, the proposed timeline for the process is too short to adequately address the many changes needed and proposed. A quick review of the proposed document shows over 20 pages of material are substantially new regulations or major changes, not just minor revisions as has been suggested. These many changes take a long time to review. Most of the interested parties are very busy and are not able to drop whatever they are working on to review regulation changes without any notice. Approximately 10 years ago I performed a review and analysis of the subdivision regulations for Windsor Colorado similar to the review that you are currently performing. It took over 35 hours to simply review the regulations and make comments on them. The process took approximately one year from time of proposal to the public to implementation of the revised regulations. This time frame gave all interested parties sufficient time to review and comment on the changes and to make personal and business decisions based on the changes.

For the future, I recommend that the Resource Management Department assemble and maintain an e-mail list of interested parties. This would likely include civil engineers, land surveyors, developers and real estate agents. This list would be an easy way to communicate with the public about proposed changes or simply to ask opinions when appropriate. I also recommend that whenever items of interest come up they be posted on the door into the records room of the Boone County Recorder. This would serve as a good faith notice to the survey and engineering community that something is going on. In addition, the staff needs to communicate with some members of the surveying and engineering community as part of their internal process. This would help to reduce the number of issues when the document is released to the public.

Please find attached marked up copies of Chapter 1, pages 1 to 19, and Appendix B, pages 70 to 93. My markups are based on 16 years of land surveying in three states and working with regulations in 10 counties and more than 17 cities and towns. The markups are also based on discussion with other members of the Central Chapter of the Missouri Society of Professional Surveyors in my capacity as President. As I am currently also a full-time college student at Mizzou, I have not had enough free time to review the remainder of the document and will have to trust that others have been able to.

Thank you for your time. If you have any questions or concerns please feel free to contact me.


Jonathan Cole, PLS

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Submitted by Jonathan Cole

**BOONE COUNTY MISSOURI
LAND USE REGULATIONS**

CHAPTER I

SUBDIVISION REGULATIONS

1.1 *Title:* These regulations, including appendixes and tables, shall be known, referred to, and cited as the Subdivision Regulations of Boone County, Missouri.

1.2 *Authority:* These regulations are enacted under authority vested in Boone County, Missouri by sections 64.825-.830 RSMo.

1.3 *Scope and Purpose:* In order to protect the public health and general welfare these regulations, including appendixes and tables, are intended to:

- Prescribe the procedures, standards and criteria for the subdivision of land within the unincorporated areas of Boone County, Missouri
- Prescribe the proper location and width of streets, building lines, open spaces (safety and recreation)?
- Provide for the avoidance of excessive crowding of population including establishment of minimum dimensions for lots.
- Prescribe the ^{minimum} extent to which and the manner in which streets shall be graded and improved
- Prescribe the ^{minimum} extent to which water, sewer and other utility services shall be provided.

what if people want a small district that is "crowded"

Deleted: congestion
Deleted: width and area of
Deleted: These regulations are also intended to include

1.4 *Definitions:* Unless the context clearly indicates otherwise, the following words, phrases, terms and their derivations shall have the meaning given for purposes of

September 4, 2012

Rewrite these AFTER doing a process-flow chart and summary of the goals of each type of subdivision. Why do you need it? What are its limitations? Why? It is obvious the organization does not know the answers to these questions

these regulations and appendixes and tables pertaining to them. The following rules shall apply when consistent with the context in which any words or terms are used:

- Words used in the present tense include the future
- Words used in the plural number include the singular
- Words used in the singular number include the plural
- The word "shall" is always mandatory and not merely directory
- The word "may" is permissive

Questions regarding the definition of any word not herein defined shall ^{may} be decided by the Director. The Director may use any standard English dictionary or other ~~appropriate~~ ^{industry appropriate} reference material.

!!
that's a lot of leeway!

confusing

1.4.1 **Block** - An area of land entirely bounded by roads, streets, highways, except alleys, pedestrian ways or exterior boundaries of a subdivision unless such exterior boundary is a street, road or highway, or a combination of streets, public parks, cemeteries, railroad right-of-ways, or shore lines or waterways, or corporate boundary lines.

1.4.2 **Board of Adjustment** - The Zoning Board of Adjustment as established by Section 15 of the Boone County Zoning Regulations.

1.4.3 **Building** - Any structure having a roof supported by columns or walls or other structural members for the shelter or enclosure of persons or property.

1.4.4 **Building^{setback} Line** - A line specifically established upon a plat or by the zoning regulations which, identifies an open area unoccupied and unobstructed from the ground upward into which no part of a building shall project except as provided by the zoning regulations.

In industry a building line has a different definition.

1.4.5 **Common Land** - Land within or related to a subdivision, not individually owned which may or may not be dedicated for public use and which is designed and intended for the common use, benefit or enjoyment of the residents of the subdivision. Such land may include complementary structures and improvements.

confusing

1.4.6 **Commission** - Planning and Zoning Commission of Boone County, Missouri.

1.4.7 **County Commission** - The governmental body of Boone County, Missouri charged by law with the final administration of these regulations.

1.4.8 **County Engineer** - The Chief Engineer of the Boone County Resource Management Department or other engineer designated by the County Commission.

Deleted: appointed by the
Deleted: charged wit

1.4.9 **Cul-de-sac** - A street designed with only one outlet and having a turn-around for traffic circulation.

1.4.10 **Dam, Regulated** - Any artificial or man-made barrier which impounds or diverts water and is

- more than 6 feet high and stores 50 or more acre-feet of water; or
- 25 or more feet high and stores more than 15 acre-feet of water

if it is for general we it is a grant in fee

1.4.11 **Dedication** - The appropriation of land by its owner for general or special public use.

Deleted: Levees and small on-site wastewater systems levees are excluded from this definition

1.4.12 **Development** -

- A change in the zoning, ^{or increase of} intensity of use, or allowed use of any land, building, structure or premises for any purpose.
- The subdivision or severance of land. ?
- The construction, erection or placing of one or more buildings or structures on land or use of land or premises for storage of equipment or materials.

tearing down a building is a change to a

Deleted: Development

Deleted: A designated area of land upon which real property improvements are planned for construction or installation for resale or in order to produce income.

So, I've developed the land I park a tractor on it.

- Making of an addition, enlargement or alteration to a building or structure, in, on, over or under land, which has the effect of increasing the size or usability thereof.
- Land disturbance activities such as but not limited to site-grading, excavation, drilling, removal of topsoil or the placing or dumping of fill and installation of drainage works.
- The use of the term shall include redevelopment in all cases unless otherwise specified in these regulations.

Deleted: Planning and Building Inspection

1.4.13 *Director* - The Director of the Department of Resource Management for Boone County, Missouri or other person as designated by the County Commission.

1.4.14 *Karst* - A type of topography characterized by features such as caves, bedrock pinnacles, losing streams segments and sinkholes.

1.4.15 *Lot* -

- ~~A measured portion of land having fixed boundaries and designated on a survey or plat.~~ ? parcel or tract
- An area of land in a subdivision, intended for sale or other form of ownership transfer to be used as a building site, or for other lawful purposes;
- A plot of land separated from other parcels or portions by descriptions as on a recorded subdivision plat, recorded plat of survey, or by metes and bounds description for the transfer to or use of another.

This makes my head hurt!

Deleted: record

1.4.16 *Lot, corner* - A lot abutting upon two or more streets at their intersection.

1.4.17 *Lot, front of* - The front of a lot, tract or parcel shall be considered to be that part of a lot which has access upon a public street. For corner lots the front shall face

corner lot setbacks?

the shortest street dimension of the lot. When a lot has no public road frontage the Director shall determine the front of lot.

1.4.18 Lot, Illegally Created – Any land division that did not comply with the land use and subdivision regulations that were in effect when the instrument creating the division was executed.

1.4.19 Lot, Legally Created – Any land division that complied with the land use and subdivision regulations that were in effect when the instrument creating the division was recorded with the Boone County Recorder of Deeds.

1.4.20 Major Thoroughfare Plan - The officially adopted plan of Boone County, Missouri, showing the approximate location and classification of existing and proposed roads.

1.4.21 Master Plan - The comprehensive long range plan adopted by the County Commission for the coordinated physical development of Boone County, including among other things, the major thoroughfare plan, sub-area plans, plans and programs regarding the location, character and extent of transportation routes, bridges, public buildings, schools, parks and other elements of land use and development deemed appropriate for long range planning

1.4.22 Owner – Any person, firm, association, syndicate, partnership, corporation, trust, or any other legal entity having legal title to or a sufficient proprietary interest in real estate to legally effectuate transfer of the property sought to be subdivided.

1.4.23 Paired Driveway – A shared access point along the common lot line between two lots ~~both~~ ^{both} of which have frontage on a public road.

Deleted: classified as collectors, arterials, expressways, or freeways that will provide adequate traffic circulation and serve as guidance for road planning and location in anticipation of future development.

1.4.24 Parcel, Tax - An area of land defined by the Boone County Assessor for

purposes of taxation. The boundaries of a tax parcel do not necessarily match the boundaries of a legally created lot or lots.

or less,
And may include more than one lot or Tract or other parcel of land

1.4.25 Parent Parcel - Any legally created lot that has been in existence prior to June 17, 1995.

1.4.26 Performance Bond - Any surety bond submitted in an amount and form satisfactory to the County Commission.

1.4.27 Planned Development - Land developed pursuant to the Zoning Regulations of Boone County, Missouri for planned developments.

Property rights locations.

Deleted: under a unified plan with an overall density based on the zoning of the entire tract, which may include various types of housing and/or businesses with common open space and community facilities.

1.4.28 Plat - A scale drawing of a tract of land including a property description.

no, this is a land survey
A plat is used to divide land and/or define

1.4.29 Point Rating System - A numerical rating system, based on urban development factors, which assigns point values to unincorporated areas of land.

Deleted: approved by the Commission,

1.4.30 Presiding Officer - The elected presiding commissioner for the County Commission or the acting presiding commissioner in the absence of commissioner.

Deleted: .

Deleted: 2

1.4.31 Private Drive - A driveway or driveway easement which provides:

- access to a lot or lots or other parcels or tracts of land
- entry or circulation driveway within a lot
- roadway easement connecting to a public road. ← that is a private road

Deleted: entrance

Deleted: or private road or

1.4.32 Public Road - A road contained within public right of way that is permanently controlled and maintained by a public governmental agency.

Deleted: as term is defined in these regulations which

include any ancillary rights (i.e. no utilities)

1.4.33 Qualifying Family Member - A person, 18-years of age or older, intended to receive a parcel of land created by family transfer division who has never

1.4.31A
Private Road - a roadway which is owned and maintained by private individuals, groups, or other legal entities. Private Roads are

see ACSM definition

received a parcel of land by family transfer and whose relationship to the grantor is grandmother, grandfather, granddaughter, grandson, mother, father, daughter, son, sister, brother. Any relationship other than those specifically listed in this section is not included in this definition.

1/2 brothers? step-parents?

1.4.34 Recognized Utility - A closely regulated enterprise that provides a public utility service deemed necessary for the public health, safety and welfare.

as licensed by the State of Missouri?

1.4.35 Replat - The act of changing a previously recorded subdivision plat, or portion thereof.

Is the title of a replat - Replat or Plat?

1.4.36 Right-of-Way - An area or strip of land that has been established by usage or dedicated to the public for the use of:

- vehicles
- pedestrians
- utilities

statute or case or bylaw.

other purposes as defined in the creating documents (you can have a ROW for a park for example)

Deleted: The location of an easement for the vehicular or pedestrian travel or use for public utilities as determined by recorded instrument or usage

1.4.37 Small On-Site Wastewater System - Any subsurface sewage treatment system, lagoon disposal system or other waterborne waste disposal method employing basic hydrologic or engineering principles which receives 1500 gallons or less of waterborne waste per day.

Deleted: 1.4.30 Road - Land delineated by survey, plat or use for travel by motor vehicles and other means of transportation which includes but is not limited to streets and private drives.

1.4.38 Solid Waste Disposal Area - Any area, above or below ground, which is or has been used for the disposal of solid waste.

Deleted: 1.4.31 Road/Bridge Maintenance & Improvement Manual - A manual on policy and procedures for road/bridge maintenance and improvements as adopted by the Boone County Commission on the 18th day of December, 1990 with an effective date of January 1, 1991.

1.4.39 Stem - The portion of a ^{narrow} stem ^{some} lot that connects the required yard area and buildable area with its road access or any utility access.

Deleted: 3

1.4.40 Street - The improved portion of the public right-of-way which affords principal means of access to abutting property within a subdivision.

1.4.41 Street Plan Lines - Graphic street designation or possible location as indicated by the major thoroughfare plan.

1.4.42 Structure - Anything on the property constructed or installed for use on land including but not limited to portable structures used for housing, business, commercial, agricultural, recreational or office purposes.

1.4.43 Subdivider - Any owner, agent or employee of an owner who ^{is} ~~authorizes~~ ^{ed} proceedings ^{to} to effectuate a subdivision of property.

Deleted: under these regulations.

1.4.44 Subdivision - The division ~~or proposed division~~ of land which creates one or more of the following:

- A lot, tract or parcel of land greater than forty (40) acres in size
- A lot, tract or parcel of land forty (40) acres or less
- A new public road
- A geometric reconfiguration of a property unless such a reconfiguration is done under another provision of this ordinance.
- A multiple use development as the term is used in these regulations.
- A lot that is or becomes partially within the corporate boundary of any city, town or village.

collectively any new lot or tract

see A

see J

1.4.45 Subdivision Category - One of four categories into which each subdivision type will be grouped:

- Abbreviated Administrative Approval
- Administrative Approval

Just define these as separate types of approval other than sub. may be granted at the discretion of ~ under these circumstances.

- 1) lot size
- 2) # of lots
- 3) no new roads
- 4) etc

- Preliminary Plat
- Final Plat

these are parts of the approval process, not separate entities? you do not record a preliminary plat. it is part of the process.

1.4.46 Subdivision, Type of - One of the following nine types into which a land division will be assigned:

put before category

- Administrative Survey
- Exception Survey
- Family Transfer Division Survey
- Lot Consolidation Survey
- Lot Line Adjustment Survey
- Major Plat
- Minor Plat
- Multiple-Use Plat
- Utility Survey

where are these defined?

Deleted: 1.4.38 Subdivision - The division of land which creates a lot, tract or parcel of land less than twenty (20) acres or the creation of a new public road or multiple use development as the term is used in these regulations. This definition shall not apply to the transfer of land to an immediate family member consisting of a transfer from or to a son, daughter, sister, brother, father or mother, or grandfather or grandmother, of agriculturally zoned land provided that only one transfer may be made to any one member; such transfer of land shall be documented on forms provided by the Director and recorded in the Office of the Recorder of Deeds and such land may not thereafter be retransferred or conveyed for a period of one year from the date of transfer to the recipient. This definition shall also not apply to the division of land which will otherwise result in creation of an Administrative Survey or Minor Plat as the terms are defined in these regulations if the division is created by survey, prominently states on the survey that the land described and contained in the survey is nondevelopable or not for development and such statement is approved and signed by the Director. In addition, for purposes of the Boone County Zoning regulations as they apply to the placement of mobile or manufactured homes, the definition of a subdivision as the term was defined by the Subdivision Regulations of Boone County, Missouri as of April 23, 1991 shall remain applicable for that purpose only.¶

1.4.47 Through Street - A public street which is not a cul-de-sac.

1.4.48 Urban Service Area - All land in unincorporated Boone County that has been assigned a numerical rating of 50 or more points by the currently approved Point Rating System or designated as an official Urban Service Area on an official map adopted by the Boone County Commission.

Deleted: and which provides vehicular access from an area internal to a subdivision.

Deleted: sections of

1.5 General Provisions - The following general provisions shall be applicable to all subdivisions:

1.5.1 Subdivision Plat or Survey Required - From and after the effective date of these regulations, any person who subdivides any land located within Boone County to which these regulations shall apply shall cause a plat or survey to be prepared of

Deleted: Plat Or Administrative Survey

Deleted: as the term is defined in these regulations and

it now applies to everything

such subdivision in accordance with these regulations and the laws of the state of Missouri and shall cause such plat or survey to be recorded in the office of the Recorder of Deeds.

1.5.1.1 Survey Not Required, When - Divisions of land solely creating tracts greater than ²⁰40 acres may be surveyed in compliance with these regulations but are not required to be surveyed. ^{and access to public roads is provided for.}

Good, but conflicts with other places in the regulations.

1.5.2 Determination of Type of Subdivision - The Director shall determine the Subdivision classification of ^{any} proposed land divisions ^{shall be done in accordance with these regulations} ~~not provided for~~ in these regulations.

Another unnecessary mother may I...

1.5.3 Major Plat Required by Exceptional Circumstances - The Director, in the exercise of his discretion, may require ^{any} proposed land division to be platted as a major subdivision plat if and only if:

Deleted: Minor Plat Restriction

Deleted: what would otherwise qualify as a minor subdivision plat or administrative survey

- the Director finds that roads or utilities surrounding the proposed subdivision are inadequate to serve the proposed subdivision and/or the surrounding area and ^{based upon approved traffic studies and approved planning documents.}
- the requirements for approval of a major subdivision plat will facilitate adequate road, water, sewer or other utility service.

Deleted: or administrative survey

1.5.4 Unified Development - No land shall be subdivided or resubdivided unless the Director determines that such action will not impair or otherwise hinder the unified development of the land to be further subdivided or resubdivided or areas adjacent thereto. In making such a determination the Director shall consider the following:

Should be not divided if not in accordance with the approved master plan zoning of the director.

Deleted: within a recorded administrative survey or minor, major or multiple-use subdivision plat shall be further

Deleted: as an administrative survey or minor or multiple-use subdivision plat or by other means of description,

Deleted: further subdivision or resubdivision

Deleted: by means of the administrative survey or minor or multiple-use platting or other means of description

Deleted: adjoining or

- the potential population densities under current zoning,
- the Boone County Master Plan

- availability and adequacy of roads, water, sewers and other utilities
- the geography and current land use for the area.

IF divider screws up they take the financial hit from lower land values and having to "fix" the subdivisions.

1.5.5 *Compliance With Other Applicable Regulations* - No final plat or survey

shall be reviewed or approved by the Director, Commission or County Commission unless such plat is consistent with the Boone County Master Plan, and complies with

the Zoning Regulations and other rules and regulations adopted by Boone County which may apply to the land subdivided or the use thereof.

1.5.6 *Prohibited Subdivisions* - It shall be unlawful for any person to file or record any plat, survey or other instrument of sale, transfer or conveyance with the recorder of deeds of Boone County, Missouri which affects a subdivision of land subject to these regulations unless such land has been subdivided in compliance with the provisions of these regulations.

1.5.7 *Prohibited Land Sales and Transfers* - It shall be unlawful for any person to sell or transfer any land which would affect a subdivision of land subject to these regulations without first subdividing such land in compliance with the provisions of these regulations.

1.5.8 *Prohibited Land Sales and Transfers of Illegally Created Lots* - It shall be unlawful for any person to sell or transfer any illegally created lot without first subdividing such land in compliance with these regulations.

1.5.9 *Building on Unlawfully Subdivided Land, or an Illegally Created Lot* *← redundant*
Prohibited - No building permit or certificate of occupancy shall be issued, nor shall any person construct or install any building on unlawfully subdivided land or any illegally created lot.

Deleted: land to which these regulations apply unless such land has been first subdivided in accordance with these regulations.

Yay!
 this is how you should generally be controlling development. When it is open land who cares how small the parcel is

1.5.10 Building on Nondevelopable or Not for Development Land Prohibited -

No building permit or certificate of occupancy shall be issued, nor shall any person construct or install any building or structure on land designated as nondevelopable or not for development on any plat or on a recorded or unrecorded survey signed and approved as such by the Director. - How do you get this changed?

Deleted: - No

1.5.11 Buildings Prohibited Within Major Thoroughfare Right-of-Way ^{Plan} - No

building or structure shall be constructed, erected or installed within the designated right of way for any major thoroughfare shown on the Major Thoroughfare Plan if the boundaries of such right of way are

- described or defined by boundary survey or
- described by other lawful metes and bounds description recorded or officially filed with the Director.

Deleted: Director.

All applicable building setback requirements shall apply from such designated right-of-way boundary lines.

Deleted: unless resubdivided or further subdivided in accordance with these regulations.

1.5.12 Surveys, Survey Review and Plat Approval Required - No land shall be subdivided in any manner except by land survey prepared by a surveyor licensed to practice in the State of Missouri. No survey of land of any kind prepared by or under the direction of a surveyor shall be recorded by the Recorder of Deeds unless reviewed and signed by the Director. The Recorder of Deeds shall not file or record a subdivision plat or survey of any land located within the county unless the plat has been approved and signed by the proper officials in accordance with these regulations. approved for what?

Deleted: licensed or registered land surveyor

Deleted: licensed or registered land

Deleted: to which these regulations shall apply

What if it is a simple boundary survey? You are preventing boundary surveys from being recorded by tying them up in red tape.

1.5.13 *Public and Private Road Restrictions* - Except as authorized by these regulations or as authorized for planned developments under the Boone County Zoning Regulations it shall be unlawful to create or build any

- non-governmentally maintained publicly dedicated road or

• ~~non-governmentally maintained~~ private drive *illegal to create private drives? Clarify.*

1.5.14 *Determining the Number of Tracts Served by a Private Drive* - From the point where a private drive or easement intersects with a public road all tracts crossed by or adjoining a private drive or private drive easement shall be considered to be served by said private drive or private drive easement including any lot having public road frontage.

IF the adjoiner has no legal access to the drive, how do you justify this?

1.5.15 *Private Subdivision Restrictions and Covenants* - It shall be unlawful to establish or enforce any private subdivision restriction or covenant which conflicts with any mandatory requirement of these regulations or impedes implementation or enforcement of any minimum requirement set forth in these regulations.

Deleted: except as authorized by these regulations or as authorized for planned developments under the Boone County Zoning Regulations.

1.5.16 *Prohibited Encumbrances* - No ~~Type of Subdivision~~ shall be approved under these regulations which subject or encumber ~~or make the following items to~~ *create or* be shown or platted on said ~~Type of Subdivision~~ *a* ~~subject to exclusive easements or~~ *the property* encumbrances: *excepting the following:*

Deleted: Administrative Survey, Major Plat, Minor Plat or Multiple Use Plat, as the terms are used in these regulations

- publicly dedicated roads or streets
- road or street right of way
- utility easements.

The only types of prior encumbrances allowed are:

Deleted: an Administrative Survey, Major Plat, Minor Plat or Multiple Use Plat,

Deleted: except for

- recorded non-exclusive utility easements which have had utilities installed within them and have been used for the purposes granted prior to December 5, 2000, if it is recorded and not rescinded, it still exists, even if not used.
- judgment liens, mechanic's liens and instruments of security for debt whether recorded or unrecorded, such as deeds of trust, mortgages, contracts for deed, leases with purchase options, and other instruments of security for debt;
- publicly maintained roads and streets or road and street right of way;
- recorded land use covenants, restrictions and other encumbrances which are unrelated to and have no effect upon roads, streets or utilities and which are not in conflict with the requirements and provisions of this chapter.

Deleted: the adoption of this section 1.5.10

according to this you cannot show prescriptive easements!

1.5.17 Subdivision Below a Regulated Dam - No lot shall be created within one-mile downstream of a regulated dam unless

- The dam has been certified by a registered professional engineer as safe for the occupants of said lots.
- A registered professional engineer has certified that all lots created by the subdivision will not be flooded in the case of complete dam failure.

need to tighten this up. It covers a lot of property. Limits by acre feet of water? Ask an engineer for a generic acceptable situation to reduce the number of studies required.

1.5.18 Advisory Point Ratings for Subdivision Plats - A point rating shall be assigned to each subdivision plat under the Subdivision Point Rating System set forth in Appendix B Table A of these regulations. The purpose of the point rating is to determine whether subdivision development is proceeding in those areas with existing adequate infrastructure. It is the desire of the County Commission that each major subdivision plat have a point rating of at least 50 points under such system. However, such point rating system is primarily an advisory and study tool, and shall

not be used as the sole basis for accepting or rejecting approval of any subdivision plat.

1.5.19 Recognized Utilities – The Director may develop a list of recognized utilities.

In doing so, any or all of the following criteria may be used to determine whether an entity qualifies as a recognized utility:

- provides a service that is essential to the public, health, safety and general welfare;
- regulated by a governmental agency;
- granted an exclusive or near exclusive franchise for a specific geographic area;
- required to provide service to all who apply within their franchised area or service area;
- may have the right of condemnation;
- are usually exempt from local development requirements or can appeal such requirements to an administrative agency.

Belongs in definition section

1.5.20 Proof of Ownership – Prior to approval and recording of any subdivision or survey the subdivider shall provide proof of ownership. Acceptable proof of ownership must meet the following:

- must be on a document provided by a land title company;
- shall be considered to be valid for a period of 30 days from the date of issuance;
- shall contain a legal description that matches the property being subdivided.

Why?
IF necessary simply require a simple statement that they have the rights to develop and are the owner with a simple signature & notary.
Can assign who their representative(s) are too.

1.5.21 Prohibition of Transfer Prior to Recording – The subdivider shall not transfer property for which any subdivision approval is pending prior to recording of that subdivision.

No, simply say the sub process has to start over again if they do.

1.5.22 Road Stub Location – The Director shall determine the number and location of required road stubs. based on? Establish guidelines.

1.5.23 Continuation of Stubbed Roads – The design of all subdivisions shall include continuation of roads and public rights of way that have been stubbed to the property. Such continued roads shall connect through the property to existing public road, rights of way and adjoining property as determined by the Director.

and established guidelines.

Deleted: Classification

1.6 Subdivision Categories and Type – From and after the effective date of these regulations all subdivisions subject to these regulations shall be surveyed or platted in accordance with the following subdivision classifications: ^{one or more of} ~~categories~~

1.6.1 Abbreviated Administrative Approval Subdivisions – The following subdivision types are within this category

1.6.1.1 Exception Survey – Any subdivision survey consisting of one or more lots created in compliance with these regulations and where either of the following applies:

- All tracts shown on the survey are greater than 40 acres in size.
- The tract shown on the survey is a graphic depiction of the boundary of an existing legally created lot for which no change in configuration is proposed or depicted by said survey.

Do you realize that all these narrow definitions make life difficult when going back to them in a few decades after the definitions have changed?

How about a title like "Boundary Survey" on the "map" with a note which says what it is. such as "This survey is an Exception survey under the current Boone County Subdivision Regulations. The tract shown hereon is a graphic depiction

Parcel - to differentiate ~~between~~ from a utilitarian survey

1.6.1.2 Utility Survey - Any subdivision created in compliance with these regulations creating a lot for the exclusive use of a recognized utility as a site for utility infrastructure or utility equipment

1.6.2 Administrative Approval Subdivisions - The following subdivision types are within this category:

1.6.2.1 Administrative Survey- Any subdivision survey consisting of one or more lots created in compliance with these regulations, any and all of which are forty (40) acres or less in size but equal to or greater than ten (10) acres in size and where either of the following applies:

- All tracts have frontage upon and direct access to an existing public road. OR
- No more than two (2) tracts share a common private drive with direct access to a public road.

Deleted: having

why only 2?

1.6.2.2 Family Transfer Division Survey - Any subdivision survey consisting of one or more lots created in compliance with these regulations and where the lots created are ~~transferred or intended for transfer~~ to a Qualifying Family Member, as defined in these regulations, for which one or more of the following applies:

- The parent parcel is zoned A-1 (agriculture)
- The parent parcel is zoned A-2 (agriculture)
- The parent parcel is not contained within a recorded minor subdivision plat or recorded major subdivision plat.

1.6.2.3 Lot Consolidation Survey - Any ~~subdivision~~ ^{single parcel} created in compliance with these regulations which consists of either of the following:

- combination of two or more legally created lots into a single lot.
- Absorption of legally vacated right of way into one or more legally created lots

- if it is more than one parcel it is a subdivision or Re-Plat

1.6.2.4 Lot Line Adjustment Survey - Any ~~subdivision~~ ^{Re-subdivision} created in compliance with these regulations for which all of the following apply:

- The purpose of the survey is to change the location of a lot line between two or more lots.
- The number of resultant lots shown on the survey is the same as the number of lots prior to the survey.
- The resultant boundary configuration of all lots of 40 acres or less is graphically depicted on the survey.

extraneous

1.6.3 Preliminary Plat - The following subdivision types are within this category:

1.6.3.1 Preliminary Major Plat - Any subdivision created in compliance with these regulations for which one or more of the following applies;

- a land division having six (6) or more lots, any or all of which are less than ten acres in size.
- the creation of a new public road
- any other subdivision not specifically qualifying as one of the following:
 - Administrative Survey

Extremely confusing. Everything is preliminary until it is approved for recording, then it is final. You need to re-think your process.
Major Sub:
Preliminary
Final
Minor Sub:
Preliminary
Final

- Exception Survey
- Family Transfer Division Survey
- Lot Consolidation Survey
- Lot Line Adjustment Survey
- Minor Plat
- Utility Survey.

why the separate name?

1.6.3.2 Preliminary Multiple Use Plat – A form of a major plat created in compliance with these regulations created to allow for the dedication of easements and right-of-way where multiple structures are located or going to be located on a single lot or parcel.

Can be done by any document with correct certifications. why a separate category?

1.6.4 Final Plat – The following subdivision types are within this category:

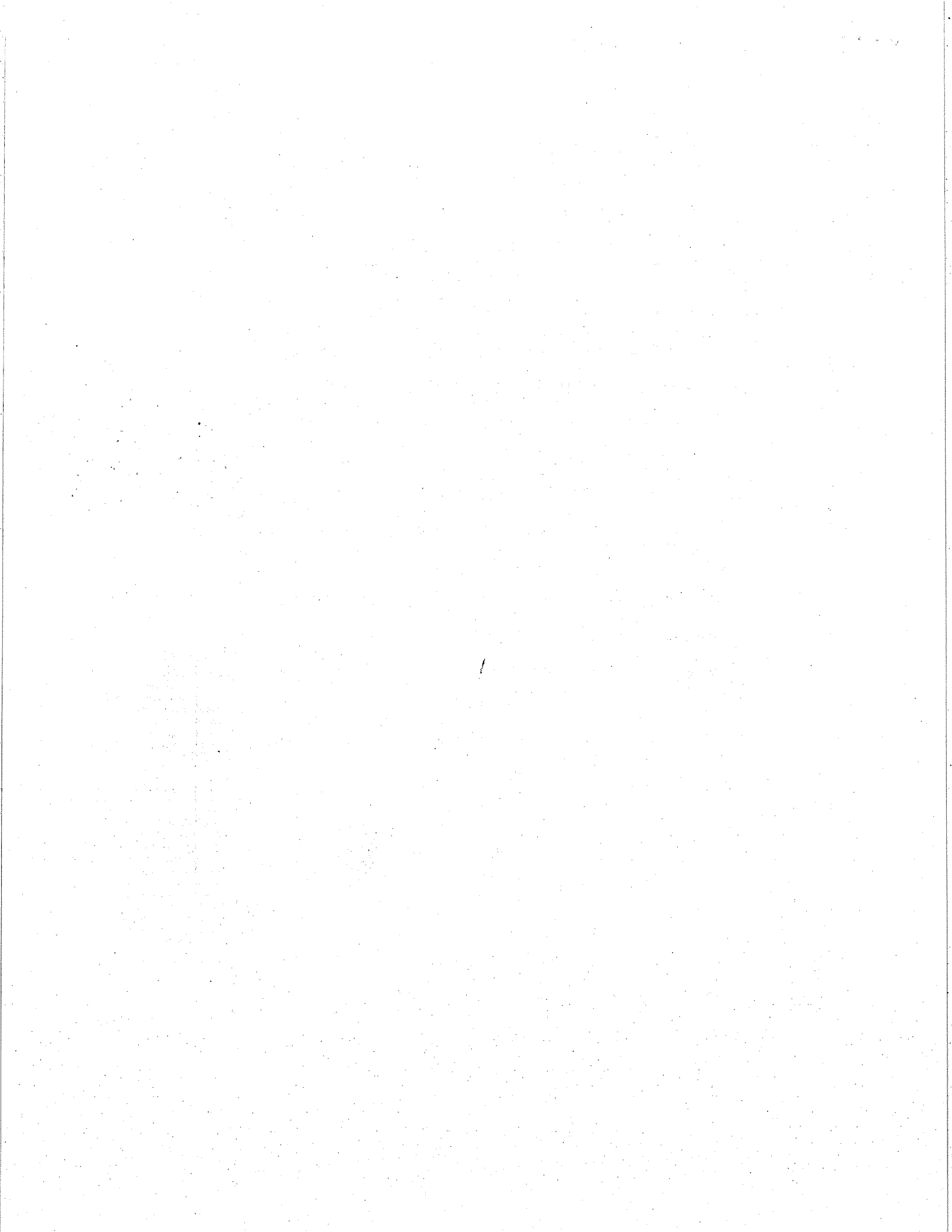
1.6.4.1 Final Major Plat – A final plat of an approved preliminary major plat.

1.6.4.2 Final Multiple Use Plat – A final plat of an approved preliminary multiple use plat.

1.6.4.3 Final Minor Plat - Any subdivision created in compliance with these regulations consisting of five or fewer lots, any one of which is less than ten (10) acres, where each lot has direct access to and frontage upon an existing public road.

Deleted: , or a subdivision plat consisting of any number of lots, each being five (5) acres or more, where each lot has direct access to and frontage upon a public road, or has a common private driveway situated on and created for the exclusive use of no more than four (4) lots providing ingress and egress to a public road

Deleted: Any subdivision not qualifying as a major plat or any one or more lots, parcels or tracts of land not otherwise platted and not wholly contained within a planned development district as defined by the Zoning Regulations of Boone County which contain or are intended to contain two or more buildings, each designed or intended to contain two or more residential dwelling units or one or more buildings having more than one commercial or industrial business use, or two or more buildings each designed or intended to contain one commercial or industrial business use.¶



APPENDIX B

DESIGN SPECIFICATIONS FOR SUBDIVISIONS

1. GENERAL SPECIFICATIONS: All required improvements shall be designed and constructed to meet or exceed the minimum requirements of these specifications. All required improvements shall comply with the standards and criteria referred to in these Appendices and the following general specifications.

1.1 Addresses - All subdivision lots shall be addressed to comply with the addressing system of the county established by order of the County Commission as codified in Section 27 of the Boone County Zoning Regulations.

1.2 Blocks - Block lengths shall conform to the following standards:

- maximum length: 1320 feet
- minimum length: 200 feet
- Each block shall be wide enough to allow two (2) tiers of lots of sufficient depth to provide an adequate building site on each lot
- Block length must comply with Boone County specifications for street spacing.

1.2.a. Commission approvals required if:
In a planned development the Commission may vary the block length standards as it deems necessary to secure the efficient use of land or desired features of road layout pursuant to Table A. The Commission may approve block widths providing for a single tier of lots under the following circumstances or conditions:

- Extreme topography
- The size of the property would prevent two tiers
- Where one frontage abuts a limited or no access road

Deleted: Garth Ave (City of Columbia) shall be the north-south base line and the designation of north and south shall be indicated on either side of Broadway (City of Columbia). Broadway shall be the east-west base line and the designation of east and west shall be shown on either side of Garth Ave.

Deleted: 1.2 Alleys - Alleys shall be provided in commercial and industrial districts for off street loading and unloading. The Commission may waive this requirement where other acceptable provision is made for service access.

Deleted: except as the Commission deems necessary to secure the efficient use of land or desired features of road layout pursuant to Table A

no more alleys required.

These are not all minor changes. They may be codifying what they have been doing lately, but they are not minor.

1.3 Access Control - Where the subdivision abuts or contains an arterial road or expressway as designated on the Major Thoroughfare Plan, the Commission shall require that measures be taken to reduce the impact of heavy traffic on roadways and the lots abutting or fronting upon such arterial or expressway and to afford separation of local traffic, through one of the following means:

Deleted: may

Deleted: residential

- by providing vehicular access to such lots by means of a paved thirty foot wide public road separated from the arterial or expressway by using a planting strip at least 30 feet in width and connecting it at infrequent intervals with the arterial or expressway
- by designing double frontage lots with access provided only to the lesser category road.
- by designing lots that utilize paired driveways.

shared driveways s. required on busy roads.

1.4 Common Land - When common land is to be included in or adjacent to a subdivision or development, a private trust or other maintenance agreement approved by the Commission shall be recorded concurrently with the plat. The trust or agreement shall:

- provide for the proper and continuous maintenance and supervision of said common land by a trustee or other suitable entity as approved by the Commission and
- confer financial responsibility and liability for maintenance and supervision of such common land with said trustee or other suitable entity as approved by the Commission
- Provide for funding operation and maintenance activities by means:
 - Of annual or more frequent assessments against lots and provision for assessment secured by assessment liens enforceable by foreclosure;

confusing

Deleted: payment

Deleted: for such maintenance and supervision

Deleted: of

- o Establishment of a trust fund in an amount sufficient to cover all projected maintenance costs for a period of 20 years.

} ?
 - dedication to the public requires signed acceptance by city

1.5 Publicly Dedicated Common Land - No common land shall be dedicated to public use or otherwise conveyed to the public or any public agency or other public or private entity without the express written consent of the entity to which the land is proposed to be dedicated.

Deleted: a recorded contractually binding agreement conferring financial responsibility and liability for maintenance and supervision of such common land with any such agency or entity.
 Deleted: areas

1.6 Community Assets - In designing any subdivision, the following specific assets shall be protected and preserved:

- tree(s) identified as Missouri champion trees by the Missouri Department of Conservation or any tree(s) seventy-five (75%) or larger of the circumference of the largest known species of such tree in Missouri;
- sensitive plant species and high quality natural communities as compiled by the Missouri Department of Conservation in the Natural Heritage database for Boone County;
- sites listed on the National Register of Historic Places;
- cemeteries and burial grounds.

1.7 Karst Area Development - Any land being subdivided that contains one or more karst features shall be subdivided and developed to ensure that the plat is designed to:

- minimize the flow of stormwater into and erosion of areas in and around existing karst features as a result of construction;
- prevent wastewater from contaminating existing karst features or groundwater;
- provide a stable building site.

Deleted: Sink Hole
 Deleted: Any portion of land which is located within the limits of a designated sink hole area as shown in the Boone County Zoning Regulations adopted September 1991 shall
 Deleted: insure
 Deleted: minimize
 Deleted: sinkholes
 Deleted: The plat shall also be designed to
 Deleted: prevent
 Deleted: sinkholes

All such development is subject to the provisions of the Boone County Stormwater Regulations section titled *Environmentally Sensitive Areas: Enhanced Criteria.*

1.8 Dams - All dams constructed within a subdivision shall comply with the following regulations.

All dams by engineers now

1.8.1 Design - Dams within any subdivision shall meet the following criteria:

- be designed by a registered professional engineer licensed to practice in the State of Missouri;
- if the dam is existing at the time of subdivision it shall be certified by a registered professional engineer licensed to practice in the State of Missouri as safe for inhabitants within or near the subdivision;
- shall be built in accordance with accepted engineering standards;
- design and as-built drawings for any newly constructed dam in excess of 25 feet tall shall be submitted to the County engineer for permanent county records;
- dam height shall be measured from the top to the toe of the slope on the downstream side.

Deleted: to be constructed in excess of 25 feet tall
Deleted: or adjacent to
Deleted: or development must
Deleted: and

Deleted: and existing dams shall be certified by a registered professional engineer as safe for inhabitants within or near the subdivision.

Dams in excess of 35 feet tall shall meet the following additional criteria: be inspected and approved by the Missouri Department of Natural Resources or other governmental regulatory agency having jurisdiction.

Deleted: Roads may not be constructed on dams except upon review and approval of the County engineer

Deleted: prior to the issuance of any building permits for lots situated below the lake formed by such dam.

1.8.2 - Use for Access - Roads may not be constructed on dams except upon review and approval of the County engineer

No more roads on dams without approval by County

1.8.3 Maintenance - All dams within a subdivision shall be subject to the provisions for maintenance and supervision of common lands contained in this Appendix.

Deleted: The . provisions for maintenance and supervision of common lands contained in this Appendix shall be applicable to all dams within or adjacent to subdivisions or developments when owned or controlled by the subdivider.

1.9 *Lots* - Except as otherwise provided and specifically authorized by these regulations or in an approved planned development under the Zoning Regulations of Boone County, all lots hereafter shall have frontage upon a public road.

Deleted: as

1.9.1 *Stem Lots* - The Commission may allow stem lots on previously un-platted land when the following criteria are met:

Deleted: Tier
Deleted: tier

- *Stem* lot design is the most feasible means to access lots due to extreme topographic conditions;
- The allowance of stem lots will not endanger the public health, safety and general welfare.

Deleted: a) tier

Why are stems only allowed for topography

The stem of a stem lot shall meet the following standards:

- minimum width: twenty (20) feet
- maximum width: fifty-nine (59) feet
- minimum Length: twenty-five (25) feet
- maximum Length: two hundred fifty (250) feet

Deleted: tier
Deleted: that is
Deleted: public
Deleted: following standards

The area included within the stem portion of the lot may not be included within any required yard area or lot size under the Boone County Zoning Regulations.

Deleted: , and c) the allowance of tier lots will not endanger the public health, safety and general welfare

1.9.2 *Lot Specifications* - Lots shall be arranged to comply with building permit requirements, the zoning regulations as to size, access, relationship to topography, provisions for utilities or other conditions specified below:

- corner lots shall have sufficient width for compliance with front yard requirements on all streets;
- side lot lines shall be at right angles to straight streets and radial to curved streets unless otherwise authorized by the Director;
- lots abutting a state right of way shall maintain a setback of 50 feet from the right-of-way;

Deleted: building lines

Deleted: generally

Deleted: when
Deleted: road
Deleted: frontbuilding line

minimum? what kind of setback?
Is this included in zoning?

- lots abutting a subdivision street shall maintain a front setback in compliance with the yard requirements in the Zoning Regulations;

Deleted: lot depth shall comply with Table A.

1.9.2.1 Minimum Lot Depth -

- Lots greater than 2.49-acres 250-feet
- Lots from 0.5 to 2.49 acres 125-feet
- Lots from 7,000 square feet to .49 acres 100-feet

1.9.2.2 Maximum Lot Depth -

- Lots 10-acres or greater none
- Lots less than 10-acres 3X lot width

1.9.2.3 Minimum Lot Width - Minimum lot width shall be maintained throughout the lot between the front and rear setback line as established by the Minimum Yard Requirements in the Zoning Regulations.

- Lots greater than 2.49 acres 150-feet
- Lots from 7,000 square feet to 2.49 acres 60-feet

Why not with or without setbacks?
 simplify to minimum acceptable building area (ie within the setbacks)

1.9.2.4 Minimum Road Frontage - All lots that are required to have frontage on a publicly maintained road shall have a minimum of 20-feet of frontage.

1.9.2.5 Double Frontage Lots - Lots with double frontage may be provided where essential to provide separation of development from traffic arteries or otherwise required by topography or other similar conditions.

1.9.2.6 Right of Way Exclusion - Right of way shall not be included within the dimensions or areas of lots.

1.9.2.7 Contiguity – All portions of a lot must be contiguous and can not be divided by public rights of way. Private access easements created in accordance with these regulations shall not be considered to divide a lot.

what happens when road width changes?
from the ROW or the physical road?

1.9.2.8 Setbacks from Private Drives - Lots abutting any private road or private drive shall be required to maintain a front or back setback beginning at least twenty five (25) feet from the edge of such road or street.

- Deleted: at least 50 feet in width
- Deleted: fifty
- Deleted: 50
- Deleted: center

1.9.2.9 Multiple Accesses, When Required – At least two points of access to a publicly maintained through street shall be provided to subdivisions that meet the following criteria:

- contain more than thirty (30) A-1, A-2, AR or RS zoned lots;
- contain more than fifteen (15) RD zoned lots;
- contain more than three (3) acres of RM zoned land.

- Deleted: one hundred
- Deleted: fifty
- Deleted: 100
- Deleted: 50
- Deleted: nor more than fifty
- Deleted: twenty five
- Deleted: 50
- Deleted: 25
- Deleted: more than six
- Deleted: 6

A point of a public road access shall at a minimum consist of a connection to a through street. Streets which dead-end or “stub” into property which is adjacent to the property being subdivided shall not count as a second access until such time as the dead-end or “stub” street is connected to a through street and becomes a public road.

much tighter access standards

1.10 Public Spaces and Areas - Sites designated for public ownership or use which are acceptable to the subdivider and to an applicable public governmental agency may be used for schools, parks, recreation or areas for other public improvements or services and may be reserved or designated for such uses on the plat of any subdivision provided there is a recorded contractual agreement or conveyance to a public governmental agency accepting title, use or responsibility for such site including maintenance and supervision.

1.11 Private Drives - Private drives may be allowed as follows:

this section makes no sense.

could put a house on edge of easement

- to provide internal circulation within a lot;
- access to a public road or other tracts as otherwise authorized in these regulations.

1.12 *Sidewalks* - Sidewalks shall be constructed and installed in multiple use subdivisions and subdivisions containing one or more lots that are less than one-half acre and in compliance with these regulations and the design and construction standards outlined in the Boone County Roadway Regulations. Sidewalks shall be treated as and comply with the requirements in these regulations applicable to common land.

Deleted: is

Deleted: Road/Bridge Maintenance and Improvement Manual

1.13 *Street and Road Names* - New streets and roads shall be named in accordance with Boone County road naming regulations established by the County Commission as codified in Chapter 27 of the Boone County Zoning Regulations.

Deleted: Names of new streets or roads shall not duplicate existing or platted street names either in the unincorporated area of the county, or within any municipality in Boone County, unless the new street is a continuation of an existing platted street.

1.14 *Subdivision Names* - The proposed name of the subdivision shall not duplicate the name of any other subdivision in Boone County. Whenever multiple plats of any subdivision are approved in series, each plat submitted for approval shall be consecutively numbered.

2. **ROADS AND STREETS**

2.1 *Improvements* - All roads and streets contained within any subdivision shall be constructed to comply with standards adopted by the County Commission for construction of roadways and other public improvements.

Deleted: the Road and Bridge Maintenance and Improvement Manual

2.2 *Traffic Analysis* - All subdivisions shall require a traffic analysis conducted by a qualified registered engineer, the results of which will be reviewed by the County Engineer and the Director. The traffic analysis shall be used to determine road and street capacity within the proposed subdivision and needed road improvements for public roads adjacent to and serving or providing access to the subdivision which are necessitated by existing traffic

Deleted: Developments resulting in less than 100 living units shall be subject to a traffic analysis conducted under the supervision of the County Engineer. Development resulting in more than 100 living units

If you split 20 acres into 2 lots you now have to do a traffic analysis. Why?

conditions and the traffic volumes caused by the subdivision. The qualified professional engineer performing the traffic study shall be selected by and retained or employed by Boone County.

Deleted: developer

2.2.1 Payment for Traffic Analysis - The subdivider shall be responsible for all costs incurred in conducting the traffic study. Such costs shall be paid from an escrow account established and funded by the subdivider and administered by the County.

} if the developer is hiring the engineer, why escrow?

2.2.2 Content of Traffic Analysis - A traffic analysis shall consist of a written report that shall include but not be limited to:

Deleted: Commercial development and multi-use developments shall require a traffic analysis, taking into consideration types of vehicular traffic, including delivery traffic.

Deleted: Traffic analysis shall be used to determine road and street capacity within the proposed subdivision and needed road improvements for public roads adjacent to and serving or providing access to the subdivision which are necessitated by existing traffic conditions and the traffic volumes caused by the subdivision.

- traffic counts for each public road providing service or access to the subdivision from the nearest arterial or highway;
- types of traffic expected and the effects on the existing roads;
- an evaluation of the proposed and existing road system serving the subdivision as to necessary capacity and improvements to accommodate such capacity.
- All proposed new or improved roads or streets shall be listed by name and classification and shall specifically describe needed right-of-way and design specifications.

Deleted: when reliable traffic counts cannot be obtained, estimates may be used based upon objective criteria and disclosed assumptions consistent with generally accepted engineering practices

2.2.3 Scoping Meeting - A scoping meeting is required for all traffic studies. The scoping meeting may result in additional required content beyond that which is described in 2.X.2

Deleted: The subdivider shall be responsible for the cost of completing any required traffic analysis, whether performed by the County Engineer or by a qualified registered engineer retained by the subdivider as specified above to prepare traffic analysis for developments resulting in more than 100 living units

2.2.4 Waiver of Traffic Analysis - The Commission, in its discretion, may waive in whole or part, upon recommendation of the County Engineer, the necessity of a written traffic analysis report under the following circumstances:

↑
Mother may I.
they can cause any
simple sub to fail by
not waiving this.

- when current adequate motor vehicle traffic counts are available
- when no road improvements are necessary
- when the precise needed improvements have previously been specified
- in such cases where preparation of such report is unnecessary or unreasonable.

2.3 Improvement of Existing County Roads - All existing county roads adjacent to or providing service or access to a subdivision and perimeter roads shall be improved by the subdivider or at the subdivider's expense in accordance with the provisions of section 1.7.4.5 of these regulations and according to the recommendations of the traffic analysis prepared for the subdivision, subject to the written approval of the County Engineer and as otherwise provided in these regulations.

Deleted: ¶ Any major subdivision or multiple use subdivision plat establishing roads to be constructed within a subdivision shall be paved if the subdivision is located within an Urban Service Area as defined by these regulations, or if the subdivision fronts an existing paved public road or gravel public road with an existing or resulting (due to the subdivision) daily motor vehicle count of 250 or more vehicles per day as determined by the traffic analysis for street and road capacity as described above, or such subdivision fronts a gravel road scheduled for paving on any existing funded road improvement plan officially adapted by the County Commission.

2.4 Improvement of New Roads and Streets - All new roads and streets shall be constructed in accordance with the requirements of these specifications and the Boone County Roadway Regulations.

2.5 Curb and Gutter, When Required - Curb and gutter shall be required in all Multiple Use Subdivisions and in all subdivisions that contain one or more lots that are less than one-half acre in area.

Deleted: existing roads and streets within or adjoining the subdivision which do not meet the requirements of these specifications with regard to width or type of construction shall at a minimum be brought into conformity on that portion of the road or street within or adjoining the platted subdivision.

Always required

2.6 Installation of Street Signs - Street signs and posts shall be installed in conformity with Boone County standards and shall be legible from each direction of travel. The subdivider shall bear the cost of posts and signs which shall be installed and maintained by the Boone County Road and Bridge Department.

2.7 Right-of-Way and Roadways - The arrangement of rights-of-way in a subdivision shall provide for the continuation of existing streets or rights-of-way in adjoining areas.

Deleted: , unless the Commission deems such continuation undesirable for reasons of topography or design.

2.7.1 Right of Way Width - In no case shall the street or right-of-way in a subdivision be less width than provided in this Appendix or Table A.

Deleted: undivided

2.7.2 Connectivity - Where a new subdivision adjoins land suitable for development, new roads or streets shall be carried to the boundaries of such land. The location of the street carried to said boundaries shall be determined by the Director and a temporary cul-de-sac shall be installed at that point unless this requirement is for good cause shown waived by the Commission.

if the ^{new} road does not connect to an existing road,

2.7.3 Dedication Adjacent to Existing Right of Way -

Bad English!

2.7.3.1 Subdivisions of Land on Both Sides of Right of Way - Any Administrative Approval Subdivision or Final Plat platted along both sides of an existing public road or street shall dedicate additional right-of-way, as necessary, to meet the minimum width requirements as required by these regulations.

Deleted: administrative survey

Deleted: subdivision

Deleted: allow

2.7.3.2 Subdivisions of Land on One Side of Right of Way - When an Administrative Approval Subdivision or Final Plat is located on only one side of an existing or proposed public road or street, one-half of the right-of-way width required by these regulations, measured from the center line of the existing roadway, shall be provided.

Bad English!

Deleted: administrative survey

Deleted: subdivision

2.7.4 Designation of Functional Classification - Roads designated on, adjacent to or near a plat shall be categorized as either:

one of the following:

- expressway,
- arterial,
- commercial,
- collector,

- local

in accordance with the Major Thoroughfare Plan or the functional classifications of roadways as outlined in the Boone County roadway regulations as adopted by the County Commission.

2.7.4.1 Default Classification - Any existing public road in which the right-of-way is not defined on an existing subdivision plat or on the Major Thoroughfare Plan shall be deemed a collector

2.7.5 Width of Right of Way - Minimum design standards for roads, streets and highways shall be as follows:

Road Type	Right of Way Width
Expressway	250 feet
Arterial	100 feet
Commercial	66 feet
Collector	66 feet
Local	See Table A
Alleys	See Table A

Do your ~~work~~ planning and tell us if it is a local road you're excessively taking land!

2.7.6 Slope Easement - Where a cut or fill for a street extends beyond the limits of the right-of-way, a slope easement of sufficient area and limits to permit the construction and maintenance of the slope shall be provided.

Deleted: 2.3 Curves and Grade Changes - A tangent of at least 200 feet shall be maintained between reverse curves on arterial and collector streets. Where there is a deflection angle of more than 5 degrees in the alignment of a street, a curve with a radius adequate to insure safe sight distance shall be provided. The minimum radii of curves shall be as follows:

CENTER LINE CURVE RADIUS	
Street Type	Minimum Center Line Curve Radius
ARTERIAL	765'
COLLECTOR	575'
LOCAL	
Residential street	100'
Commercial/industrial street	250'

2.8 **Flooding** - No roads or streets which due to design or topography are subject to frequent inundation or flooding shall be contained within a subdivision plat based upon the Boone County Flood Insurance Rate Map.

Most recently approved
FEMA or does the County have their own?

2.9 **Intersection Geometry** -

2.9.1 **Angle of Intersection** - Roads and streets shall intersect at a 90 degree angle unless otherwise approved by the County Engineer for cause shown. Under no circumstances shall roads or streets intersect at angles less than 60 degrees.

Deleted: each other as near

Deleted: as possible.

Deleted: No roads or streets shall

2.9.2 **Truncations** - When roads or streets intersect at an angle of less than 80 degrees the County engineer may require that intersecting right-of-way lines and pavement lines to be rounded to provide proper sight distance.

and vehicle turn distance.

2.9.3 **Street Jogs** - Intersecting roads or streets shall have center lines as nearly straight as possible. Roads or streets with center lines offset at intersections shall be offset by:

- less than five (5) feet or
- more than one hundred twenty-five (125) feet.

2.10 **Cul-de-sacs** - Permanent cul-de-sacs shall be no longer than 1000 feet. The Commission may approve a greater length due to topography or other unique features.

2.10.1 **Measurement of Cul-de-sac** - Cul de sac length shall be measured from the center of any cul-de-sac to the right-of-way line of the nearest through street from which it derives.

2.10.2 **Cul-de-sac Radius** - Cul-de-sacs shall have a right-of-way radius as specified in the Boone County roadway regulations as adopted by the County Commission.

Deleted: of at least forty-seven (47) feet.

I stopped here.

3. **SEWERS**

The method of and requirements for sanitary sewage waste disposal shall be in accordance with these regulations, the rules and regulations of the Missouri Clean Water Commission, the Boone County Code of Health Regulations, Boone County Regional Sewer District and any other public governmental agency having jurisdiction.

3.1 *Central Sewage Treatment* -

3.1.1 *Minimum Lot Size* - ~~All subdivisions containing any lot less than two and one half (2.50) acres in size shall have an engineered centralized sewage collection and/or treatment system.~~

Deleted: Any
Deleted: and two

3.1.2 *Connection to Existing System* - Where an adequate governmentally owned and operated sanitary sewer system is reasonably accessible and available for use, the subdivider shall provide a collection type sewer system and connect such governmentally owned and operated sanitary sewer system with collector sewer lines available for connection to each lot.

3.1.3 *Connection to Future System* - Where a public governmental agency plans for installation of sanitary sewers in the vicinity of the subdivision under an officially approved master plan the subdivider shall install collector sewers in the subdivision to be platted although connection to an existing trunk line may not be immediately available under such master plan. In such cases, and until a connection can be made,

- The use of a centralized sewage treatment facility specifically engineered for the subdivision shall be required.
- Any treatment facility shall be constructed in accordance with the rules and regulations of the Missouri Clean Water Commission and the public governmental agency having jurisdiction to provide wastewater treatment

Developer
has to build
2 systems
Is there a better way?

facilities and services in the geographic area in which the subdivision is located.

- Any such treatment facility shall be designed by a qualified engineer licensed to practice in the State of Missouri.
- The design shall conform to any applicable and officially adopted governmental master plan for centralized sewage treatment promulgated by the governmental agency having jurisdiction and be built in accordance with applicable federal, state and local standards and regulations.

3.1.4 Ownership of Central Sewage Treatment Systems - All such systems shall be subject to permanent ownership by or permanent contractual agreement with a public governmental agency having jurisdiction to provide wastewater treatment facilities and services in the geographic area in which the subdivision is located. No privately owned or operated sewage collection system or treatment facilities shall be permitted ~~except as authorized by the public governmental agency having jurisdiction.~~ *unless the*

3.2 On-Site Treatment - The Commission may allow the use of on site wastewater treatment systems subject to the following requirements:

3.2.1 When Allowed - On site wastewater systems may only be allowed when:

- When no governmentally owned or operated sanitary sewer system is reasonably accessible or available to connect to a collector type sewage treatment system within a proposed subdivision;
- All lots within such subdivision are two and one half (2.5) acres or greater;

Deleted: other than a subdivision by administrative survey

September 4, 2012

Buildable
84
what about lots created for utility infrastructure or roads created as lots?

- The subdivision is not within an area designated for future installation of trunk lines or out falls under an officially approved master plan of the public governmental agency having jurisdiction for wastewater treatment in the geographic area of the subdivision;
- All lots within the subdivision are capable of physically supporting an onsite wastewater system as shown by the plan required by Section 3.2.5.

3.2.2 **Cost Benefit Analysis** - the Commission shall be provided with a cost benefit analysis (CBA) prepared by a qualified engineer licensed to practice in the State of Missouri for a centralized sewage collection and treatment system for the proposed subdivision. The CBA shall:

- compare the total cost of installation of all such facilities, including operation and maintenance costs, with the total cost of all permissible small on-site systems including operation and maintenance for 20 years;
- compare systems that discharge a similar quality of effluent with the minimum standard set as discharge limits established for that location by Missouri Department of Natural Resources;
- compare the quality of maintenance, where a central system will be publicly maintained and onsite systems will be privately maintained by the property owner.

Deleted: comparing

Deleted: <#>The cost benefit analysis shall

Deleted: <#>Include analysis of the feasibility of using interim collection type treatment systems when the subdivision is within an area designated for future installation trunk lines or out falls under an officially approved master plan of the public governmental agency having jurisdiction for wastewater treatment in the geographic area of the subdivision. ¶

Deleted: that is discharged by the different systems

3.2.3 **Waiver of Cost Benefit Analysis** -The Commission may waive the necessity of a cost benefit analysis when

- the subdivider elects to use a central collection and treatment system for the subdivision.

Deleted: type sewage

Deleted: or,

3.2.4 Use of Cost Benefit Analysis - The Commission shall use the CBA for the basis of its decision whether to allow the use of individual onsite wastewater systems or require installation of a centralized collection and treatment system.

Deleted: <#>when only one type of wastewater collection and treatment is feasible based upon clear and convincing evidence and objective criteria. ¶

3.2.4.1 Requirement for Centralized System - If a cost benefit analysis is performed and the Commission determines a centralized collection and treatment system is economically feasible and more beneficial with respect to water quality and environmental health than use of on-site systems, then an engineered centralized collection and treatment system shall be designed, installed and used within the subdivision and shall conform to the standards outlined in Section 3.1 above.

under what standards is it required & who pays for it?

3.2.4.2 Allow Use of Individual Onsite Systems - When the Commission determines that a centralized collection and treatment system is not feasible, small on-site wastewater systems shall be permitted. In such cases the type of system used shall be one of the systems analyzed by the CBA and as specified by the Commission.

only at the whim of the commission?

Deleted: or grants a waiver of the requirement to provide a cost benefit analysis

3.2.5 Standards for Use of Individual On- Site Systems - A plan shall be submitted with all Administrative Approval Subdivisions, Preliminary Plats and Final Plats for each lot that shall be drawn to a scale to match the survey or plat and includes:

or the sewer district is unwilling or unable to provide service,

- the proposed location of septic tanks and lateral fields, lagoons or any other type of alternate sewage treatment systems;
- The proposed building site or sites;
- two foot contours;
- all areas of each lot where the existing slope is greater than thirty percent;
- proposed lagoon size;

- The location of the features that are within the specified distances, whether on or off the subject property, contained in the following table and the distance from each feature to the proposed on-site wastewater systems:

or those provided by state standards, whichever is more restrictive.

Feature	Distance in Feet
Private water supply well or pump suction line	100
Any property line	75
Outlet pipe (if any) to nearest property line	100
Nearest existing residence	200
Public Water Supply Well	300
Cistern	25
All karst features such as springs, caves, sinkholes and losing streams.	500
All required stream buffers	50
Watercourse, lake or impoundment where no buffer is required	50
Proposed building envelopes	100
Existing and proposed waterlines	10
Interceptor drains	25
Top of slope of embankments or cuts of two feet (2') or more of vertical height	20
Existing soil absorption systems	20

what top?

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The Director or the Columbia Boone County Department of Public Health and Human Services may require additional information.

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All plans must be consistent with the minimum standards established by the Boone County Code of Health Regulations and other applicable laws or regulations.

3.2.5.1 Soils Report, When Required - All subdivisions proposals that include the use of on-site sewage treatment systems for individual lots shall include a soils analysis performed as required by the Boone County Code of Health Regulations. The analysis shall demonstrate that such a system is feasible for each proposed lot and can be constructed in accordance with those regulations. If the proposal includes the use of soil absorption systems the soils report shall also include alternative locations for soil absorption fields for each lot.

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what if it is a 100 acre lot?
soils analysis now required for any sub.

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Deleted: percolation test

Deleted: soils analysis performed as required by the Boone County Code of Health Regulations demonstrating such system is feasible and can be constructed in accordance with those regulations

Deleted: HYDRANTS

4. **WATER SUPPLY AND FIRE PROTECTION**

4.1 Public Water Supply - All subdivisions, except those classified as Abbreviated Administrative Approval Subdivisions, Administrative Approval Subdivisions or Minor Plats containing three or fewer lots shall have a centralized water supply system providing water to all lots. The water supply system shall be provided by the governmental agency having jurisdiction over the water supply service in the geographic area in which the subdivision is located.

Deleted: administrative surveys

badly written excessively restrictive
what if the District doesn't want it?

4.2 Preliminary Water Supply Plan - A water supply plan shall be prepared by a qualified engineer licensed to practice in the state of Missouri. When submittal of a preliminary water supply plan is required by Appendix A, the following information shall be included in the Engineers Report:

Deleted: or private business organization licensed and regulated by the Missouri Public Service Commission to provide public water supply service in such geographic area.

- Name of the entity that will be supplying water
- Flow rate available at the site

- Any limitations that the supplier may have in serving the proposed development including fire protection needs including a description of offsite improvements that may be necessary.

4.3 Fire Protection – Fire protection shall be provided in all subdivisions that are required to be served by a public water system according to these regulations. Installation of the fire protection system shall be in accordance with the International Fire Code (IFC) as adopted by the Boone County Commission and any fire protection agency with jurisdiction. Fire hydrants shall be installed and operational prior to any building construction within the subdivision. Design of the fire protection system, at a minimum, shall address the following:

- fire hydrant size;
- fire hydrant location and spacing;
- water main size and flow;
- any other relevant issue as identified by the fire protection agency with jurisdiction.

So a 4 lot subdivision in the middle of nowhere will require hydrants, even if not fed by a water tower.

5. STORM WATER, SURFACE DRAINAGE AND EROSION CONTROL

5.1 Stormwater Control and Surface Drainage - Stormwater sewers or other stormwater controls shall be installed according to current Boone County Stormwater Regulations as established by order of the Boone County Commission.

5.2 Erosion Control - Erosion control shall be installed according to the current Boone County Land Disturbance and Stormwater Regulations as established by order of the Boone County Commission.

6. UTILITIES

Deleted: All centralized water supply mains shall be constructed and have such supply capacities that meet or exceed the requirements of standard 1231-Water Supplies for Suburban and Rural Firefighting, published by the National Fire Protection Association (NFPA) taking into account building construction, occupancy class and square footage of buildings and structures permitted within the proposed subdivision provided, however, that all water mains shall be a minimum of six inches in diameter be capable of providing a minimum of 250 gallons per minute to all lots within the subdivision and be capable of providing the needed fire flow pursuant to the above standards for the largest structure within the subdivision for a period of two hours while maintaining at least 20 pounds per square inch residual water pressure. ¶

Deleted: Hydrants

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Deleted: construction except those subdivisions classified as administrative surveys or Minor Plats containing three or less lots. Fire hydrants shall meet or exceed the Guidelines for Fire Hydrant Installation published by the Insurance Service Office (ISO) and be sized to accommodate required water supply capacities for the water supply system required for the subdivision under NFPA standard 1231-Water Supplies for Suburban and Rural Fire Fighting; provided, however, that all firehydrants shall have a minimum barrel size of five and one half (5 1/2) inches with National Standard threads and be installed in a like sized main at intervals not more than 500 feet in residentially zoned subdivisions and not more than 300 feet in commercially or industrially zoned subdivisions.

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Deleted: for all plats other than subdivisions established by administrative survey or minor subdivisions containing three lots or less. ¶
 5.2 Drainage Easements - Adequate drainage easements shall be required if deemed necessary by the Commission for proper drainage within or through a subdivision. Whenever a stream, creek or surface drainage course is located in an area proposed for subdivision, the subdivider shall provide an adequate easement and facilities to prevent flooding or erosion along each side of the stream, creek or course. These easements shall be for the purpose of preserving, widening, deepening, ... [1]

Deleted: 5.3 Utility Connections - Storm water drainage systems and sewage disposal systems shall not be connected or joined.

Just increase the minimum separation between buildings, so if you lose one building, you will not lose the neighboring one as well. People will not get the same kind of fire response as they do in a city. It is part of the package deal of living in a rural area.

6.1 *Easements*- The location of utility easements, including easements for future use shall be required along all roads and streets as deemed necessary by the utility service providers or the Director of Resource Management. Easements shall meet the following standards:

- minimum width: ten (10) feet
- maximum width: twenty (20) feet unless a wider easement is approved by the Commission upon review of written evidence from the supplier of utility service requesting the additional easement width.

Deleted: utility easement shall be provided along all roads and streets

6.2 *Utility Standards*- Utilities including but not limited to water, sewer, natural gas, cable T.V., electric and telephone shall be provided to lots in accordance with the standards and specifications which have been or are hereafter adopted by the County or utility companies or government utility service providers having jurisdiction

DRAFT

**BOONE COUNTY SUBDIVISION REGULATIONS
APPENDIX B, TABLE A
BOONE COUNTY POINT RATING SYSTEM**

**Deleted: TABLE A ¶
REQUIRED SUBDIVISION DESIGN
AND IMPROVEMENT STANDARDS¶
¶ ... [2]**

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1. Proximity		Pts.	1MI	2MI	3MI	4MI	+4MI	Score
	Columbia-	----	25	20	15	10	0	
	Centralia, Ashland, Sturgeon, Hallsville	----	25	10	5	0	0	
	Rocheport, Midway, Harrisburg, Hartsburg	----	25	10	0	0	0	
2. Sewer								
	Central Sewer available	15	----	----	----	----	----	
	Sewer Main on Property Now	10	----	----	----	----	----	
	Central Sewer Not Available	0	----	----	----	----	----	
3. Roads								
	County, State or Federal Highway	12	----	----	----	----	----	
	Less than 1/2 mile gravel road	6	----	----	----	----	----	
	1/2 to 1 mile gravel road	0	----	----	----	----	----	
	More than 1 mile gravel road	-6	----	----	----	----	----	
	Within 1 mile of a numbered state highway	2	----	----	----	----	----	
	Route includes load limit bridge or low water crossing	-5	----	----	----	----	----	
4. Karst								
	Property is not in a designated Karst area	8	----	----	----	----	----	
	Property is within 1000 feet of Karst feature	0	----	----	----	----	----	
5. Fire Protection								
	Within 3 miles	5	----	----	----	----	----	
	Within 5 miles	3	----	----	----	----	----	
	Greater than 5 miles	0	----	----	----	----	----	
6. Water System								
	Main larger than 10-inch at property now	8	----	----	----	----	----	
	6-inch main at property now	5	----	----	----	----	----	
	6-inch main to be installed with no decrease in service to others	3	----	----	----	----	----	
	Main less than 6-inch or no service available	0	----	----	----	----	----	
7. Flood Plain								
	Flood plain areas on property	0	----	----	----	----	----	
	No flood plain areas on property	8	----	----	----	----	----	
8. Soil Capabilities								
Class	I&II	-10	----	----	----	----	----	
Class	III	-5	----	----	----	----	----	
Class	IV	0	----	----	----	----	----	
Class	VI	5	----	----	----	----	----	
Class	VII&VIII	10	----	----	----	----	----	

Deleted: Section in 201 Planning Area

Deleted: Not in area served or in planning stage

Deleted: School Capacity

Deleted: Adequate

Deleted: Overcrowded

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for all plats other than subdivisions established by administrative survey or minor subdivisions containing three lots or less.

5.2 Drainage Easements - Adequate drainage easements shall be required if deemed necessary by the Commission for proper drainage within or through a subdivision. Whenever a stream, creek or surface drainage course is located in an area proposed for subdivision, the subdivider shall provide an adequate easement and facilities to prevent flooding or erosion along each side of the stream, creek or course. These easements shall be for the purpose of preserving, widening, deepening, sloping, improving or protecting the stream, creek or course or for drainage, parkway or recreational use as determined by the Commission. The subdivider may be required to enlarge or improve an existing drainage channel at the time of development.

TABLE A
REQUIRED SUBDIVISION DESIGN AND IMPROVEMENT STANDARDS

	ADMIN ALL LOTS 10 ACRES OR GREATER	MINOR/MAJOR ANY LOT 2.5 ACRES OR GREATER	MINOR/MAJOR ANY LOT 0.5 ACRE TO 2.49 ACRES	MINOR/MAJOR ANY LOT BETWEEN 7,000 SQ. FT. - .49 ACRES	MINOR/MAJOR MULTIPLE USE DEVELOPMENT
RIGHT OF WAY ALONG EXISTING COUNTY ROADS ¹	YES	YES	YES	YES	YES
LOCAL STREETS	N/A	50'	50'	50'	50'-66' ²
ALLEY WIDTH	N/A	N/A	N/A	24'	24'
UTILITY EASEMENTS ALONG ROADS	10'	10'	10'	10'	10'
MAX. BLOCK LENGTH	N/A	1320'	1320'	1320'	1320'
MIN. BLOCK LENGTH					

¹ As required per Section 2: Subsection 2.2 per Appendix B.

² Width of right-of-way or pavement to be determined by the Boone County Public Works Dept.

no longer
allowed
without
Special
approval
Why?

MAX.CUL-DE-SAC LENGTH	N/A	200'	200'	200'	440'
MIN. CUL-DE-SAC RADIUS	N/A	1000'	1000'	1000'	1000'
	N/A	47'	47'	47'	47'
IMPROVEMENTS					
PAVEMENT WIDTH	N/A	24'	28'	32'	32'-38' ²
SHOULDER WIDTH	N/A	4'	N/A	N/A	N/A
MAXIMUM GRADE	N/A	10%	10%	10%	10%-6% ³
MINIMUM GRADE	N/A	1%	1%	1%	1%
MINIMUM SIGHT DISTANCE	N/A	250'	250'	250'	250'
WATER SYSTEM	N/A	YES	YES	YES	YES
FIRE HYDRANTS	NO	YES	YES	YES	YES
CURB & GUTTER	NO	NO	NO	YES	YES
PAVING REQUIRED	NO	SEE NOTE ⁴	YES	YES	YES
SIDEWALKS ³	NO	NO	NO	YES	YES
CENTRAL SEWERS	NO	SEE NOTE ⁵	YES	YES	YES
MIN. LOT WIDTH AT BUILDING LINE	150'	150'	150'	60'	60'
MIN. LOT DEPTH	250'	250'	125'	100'	100'
MAX. LOT DEPTH	N/A	3 X WIDTH	3 X WIDTH	3 X WIDTH	3 X WIDTH
TIER LOTS	NO	SEE NOTE ⁶	SEE NOTE ⁶	SEE NOTE ⁶	SEE NOTE ⁶

³ Grade to be determined by Boone County Public Works Dept.

⁴ As required per Section 2.1 of 2 Appendix B.

³ Sidewalks shall be required along all arterial streets within and adjacent to all subdivisions within the Urban service Area.

⁵ As required per Section 3.2 Appendix B.

⁶ See Section 1.8.1 of Appendix B.