
WHEREAS, Article II, Section 2.529 of the St. Charles County Charter provides that the Council may exercise legislative power pertaining to public health and welfare, police and traffic, building construction, and planning and zoning, in the part of the County outside incorporated cities, towns, and villages, and on such other subjects as may be authorized by the Constitution or by applicable law; and

WHEREAS, St. Charles County has adopted the zoning regulations in Chapter 405 OSCCMo and the subdivision regulations in Chapter 410 OSCCMo; and

WHEREAS, Section 405.535.B.2, OSCCMo, provides that by its own motion and by ordinance the County Council may amend the text of Chapter 410 OSCCMo; and

WHEREAS, the County Council finds that it is in the public interest to amend the regulations of Chapter 410, OSCCMo, as provided herein.
NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 410.070, OSCCMO, is hereby amended as follows (added text in bold type, deleted text in [bracketed and stricken type]).

Section 410.070 Exemptions from Requirements of Chapter 410 OSCCMO.

A. Instances When Plats Will Not Be Required: No plat is required in any of the following instances:

[1] The division of land into no more than two (2) parcels or tracts less than ten (10) acres in size and into tracts equal to or greater than ten (10) acres, provided no illegal zoning lot is created and the parcels or tracts are not within a recorded subdivision. All parcels or tracts must abut a public or private street or a new recorded easement serving no more than two (2) parcels.[1] The original parcel or tract that is divided must have been recorded prior to August 23, 1999.]

[2] The sale or exchange of existing parcels of land between owners of adjoining and contiguous land, provided that no illegal zoning lot is created, when not within recorded subdivisions.

[3] The conveyance of parcels of land or interests therein for use as a right-of-way for railroads, or other public utility facilities and pipelines.
which do not involve any new streets or easements of access.

[4]3. The conveyance of land for highway or other public purposes or grants or conveyance relating to the vacation of land impressed with a public use.


B. Exceptions from Subdivision Requirements for Minor Subdivisions: Minor Subdivisions shall be exempt from Chapter 410 OSCCMo Subdivision Requirements, except as provided in Section 410.105 OSCCMo.

Section 2. Section 410.100, OSCCMO, is hereby amended as follows (added text in **bold type**, deleted text in [bracketed and stricken type]).

Section 410.100 Review Fees.

All [preliminary] plat review fees as set by ordinance shall be determined and paid [prior to the Planning and Zoning Commission meeting where the preliminary plat will be presented] **at the time the required application is submitted**.

Section 3. A New Section 410.105, OSCCMO, is hereby created as follows:

Section 410.105 Minor Subdivision.
A. Definition. Minor Subdivision shall be the division of land into lots of five (5) acres or greater in size, provided the land is located within “A”, “R” or “RR” zoning districts and outside of any existing subdivisions, and the lots thus created are serviced by privately maintained infrastructure improvements.

B. Requirements.

1. Each of the newly proposed lots must front on an access easement running with each lot, or a public or private street, each access easement or street providing each lot a direct uninterrupted and irrevocable connection to a publicly owned and maintained through-way.

2. Minor subdivision names, street names, and street numbers must be approved by St. Charles County Emergency Communications.

3. Access easements, private streets and driveway connections to public streets shall meet the sight distance, alignment, and design and construction requirements of the jurisdictional authority. Connections to County streets shall require approval and permits from the St. Charles County Highway Department.

4. Floodplain (405, Article XI), Land Disturbance (412), and Natural Watercourse (405, Article VI) regulations
and permits are required where applicable.

C. Minor Plat.

1. Definition: - A map of land for a minor subdivision prepared in form suitable for filing of record with necessary affidavits, dedications, and acceptances, and with complete bearings and dimensions of all lines defining lots and blocks, streets and alleys, public areas, and other dimensions of land.

2. Minor Plat may be approved by the Director of the Division of Planning and Zoning upon his/her determination that it is in substantial conformance with this section.

3. One printed and one digitized version that complies with County mapping standards shall be submitted. The digitized version shall show and be accompanied by the following information:

a. The outboundary of the minor subdivision shall be tied to the Missouri Coordinate System of 1983 in accordance with the current Missouri Minimum Standards for Property and Boundary Surveys;
b. The coordinates of the exterior corners shall be shown on the minor plat;

c. The surveyor who is sealing the record minor plat must submit a signed and sealed letter indicating that the digitized version is an accurate representation of the minor plat; and

d. The surveyor must submit a sealed paper copy of the minor plat.

4. Identification.

a. Name of minor subdivision, minor plat, etc., and name(s) of those who prepared the minor plat.

b. North point, date of survey, and scale used.

c. Acreage of minor plat in tract to one-tenth (1/10) of an acre.

d. Location map and key map on the first (1st) page if there is more than one (1) sheet.

5. Minor Plat Information.

a. Accurate boundary survey to State of Missouri minimum surveying standards with bearings and
distances tied to surveyed identification points (established section lines, fractional section lines, and/or U.S. survey lines), but not including already existing access easements to the minor subdivision.

b. Location of lots, streets (including right-of-way or access easement widths), public highways, and other features as required, with accurate dimensions to decimals of feet, length, and radii of all curves.

c. Setback lines on front and side streets or access easements; location and dimension of utility easements. Areas designated as common ground shall not be dedicated as one (1) blanket utility easement unless approved by the Director of the Division of Planning and Zoning.

d. Names of streets and lots numbered in logical order.

e. Indicate the future street number on each lot.

f. Acreage and ownership of all common ground.

g. Depict any existing easements across the property.
h. Depict and dedicate all utility easements.

i. Watercourses left in their natural state shall have vegetated buffers as required per Section 405.5025 of the Unified Development Ordinance of St. Charles County, Missouri”. All minor plats shall clearly show the boundaries of any setback from natural watercourses on the subject property which are left in their natural state and provide a note to reference that setback area stating: "There shall be no clearing, grading, construction or disturbance of vegetation except as permitted by Section 405.5026 of the Unified Development Ordinance of St. Charles County, Missouri”.

j. Designate pipeline and/or overhead electric easements, and with respect to pipeline easements designate all setbacks and restrictions imposed by Section 405.503, Regulations Concerning High Pressure Pipelines.

k. Depict any dedication strips along existing roadways.

l. Depict floodway fringe, density floodway, and floodway boundaries, and provide base flood elevations as shown on Flood Insurance Rate
Maps (FIRMS) issued by the Federal Emergency Management Agency (FEMA) and the maps presently filed in the office of the Division of Planning and Zoning.

6. Written Statements.

a. Dedication of all private streets and/or easements together with the deed book and page of the minor subdivision restrictions, trust indentures, or street maintenance agreements, and signed by all parties who have mortgage or lien interest, including owner(s), or a copy of the recorded document creating or reserving the existing access easement together with the book and page information for the existing access easement.

b. Certification as to acreage boundaries, monuments made by a registered land surveyor, testifying that the above were made by the surveyor.

c. In the event a minor subdivision is to have privately maintained streets and/or common ground, evidence of the methods for controlling and maintaining each private facility shall be submitted with the minor plat. Such restrictions or trust
indentures must be reviewed by the Division of Planning and Zoning before they may be recorded. Where any minor plat includes common ground, that minor plat shall include a note that title to that common ground shall be conveyed to a homeowners' association or its trustees, and the owner shall convey such title upon establishing such an association and designating its trustees.

d. An entrance permit is needed from the jurisdictional authority if the minor subdivision has an entrance on a publicly maintained street right-of-way, or evidence from the jurisdictional authority that such a permit is not required, as may be the case.

e. A residential housing development must be approved by the Missouri Department of Natural Resources for individual sewage disposal systems on minor subdivisions containing seven (7) or more lots.

f. The above must have all signatures, corporate seal(s) affixed or embossed and be notarized by a notary public. All figures and letters on the minor plat must be in ink and shall be plain, distinct, and of sufficient size to be
easily read, and must be of sufficient density to make a lasting and permanent record.

g. An applicant for approval of a minor plat to be served by individual waste treatment systems must meet the following requirements, in addition to those set out in Section 410.110.

h. A Department of Natural Resources approved engineering geologic report must be submitted to the Division of Building and Code Enforcement prior to a review of the soil evaluation report.

i. A soil evaluation report utilizing a five (5) foot deep test pit and one (1) permeability evaluation for every lot must have Division of Building and Code Enforcement approval. Additional permeability evaluations will be required by the Division of Building and Code Enforcement based on grade, lot, and minor subdivision sizes or any other physical characteristics. Permeability evaluation to be conducted by a soils scientist licensed by the State Health Department. After the minor plat is approved, at least one (1) additional permeability evaluation will be required on each lot located in the area of the proposed
Section 4. Section 410.330, OSCCMO, is hereby amended as follows: added text in **bold type**, deleted text in [bracketed and stricken type].

Section 410.330 Minimum Pavement Widths.

A. Arterial Streets. Require a traffic study.

B. Collector Streets.

1. Major collector streets. Thirty-eight (38) feet (see Exhibit A).

2. Minor collector streets. Thirty-two (32) feet (see Exhibit A).

C. Minor, Minor Stub And Cul-de-Sac Streets. [Sixteen (16)] **Twenty (20)** to twenty-six (26) feet (refer to Exhibit A). The pavement of a turning circle at the end of a cul-de-sac street shall have a minimum radius of forty (40) feet. A T- or Y- shaped paved space for a temporary turnaround only must be approved by the County Engineer and will be considered only if an extreme hardship can be demonstrated.

Section 5. Exhibit A “Required Subdivision Design and Improvement Standards” included as an attachment to Chapter 410 OSCCMo., is hereby amended as follows: added text in **bold type**, deleted text in [bracketed and stricken type]:

leach field. Further evaluations may be required by the Division of Building and Code Enforcement.
## EXHIBIT A. REQUIRED SUBDIVISION DESIGN AND IMPROVEMENT STANDARDS

<table>
<thead>
<tr>
<th>Improvement</th>
<th>3 to 5 Acre Lot Minimum</th>
<th>1 to 3 Acre Lot Size</th>
<th>Less than 1 Acre Lot Size</th>
<th>Multiples/Duplexes/Mobile Home Parks</th>
<th>Commercial/Industrial</th>
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<tbody>
<tr>
<td>Right-of-way (feet)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arterials *(10)</td>
<td>60-100 (2-5 lanes)</td>
<td>60-100 (2-5 lanes)</td>
<td>60-100 (2-5 lanes)</td>
<td>60-100 (2-5 lanes)</td>
<td>60-100 (2-5 lanes)</td>
</tr>
<tr>
<td>Major collectors</td>
<td>54</td>
<td>54</td>
<td>54</td>
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<tr>
<td>Minor collectors</td>
<td>48</td>
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<td>48</td>
<td>48</td>
<td>48</td>
</tr>
<tr>
<td>Minor streets</td>
<td>42</td>
<td>42</td>
<td>42</td>
<td>42 (Public) *(7)</td>
<td>42</td>
</tr>
<tr>
<td>Easements, utility—total width (feet)</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
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<td>Block length—maximum (feet)</td>
<td>2,640</td>
<td>2,640</td>
<td>1,320</td>
<td>1,320</td>
<td>600</td>
</tr>
<tr>
<td>Block length—minimum (feet)</td>
<td>500</td>
<td>500</td>
<td>500</td>
<td>500</td>
<td>N/A</td>
</tr>
<tr>
<td>Cul-de-sac maximum length (feet)</td>
<td>2,640</td>
<td>1,200</td>
<td>900</td>
<td>900</td>
<td>600</td>
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<tr>
<td>Cul-de-sac minimum right-of-way (feet)</td>
<td>48 *(3)</td>
<td>48 *(3)</td>
<td>48 *(3)</td>
<td>48 *(3)</td>
<td>48 *(3)</td>
</tr>
<tr>
<td>Cul-de-sac minimum pavement radius (feet)</td>
<td>40 *(3)</td>
<td>40 *(3)</td>
<td>40 *(3)</td>
<td>40 *(3)</td>
<td>40 *(3)</td>
</tr>
<tr>
<td>Pavement width (feet)</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arterials</td>
<td>Exhibit A1</td>
<td>Exhibit A1</td>
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<td>Streets</td>
<td>Major collectors</td>
<td>Minor collectors</td>
<td>Minor streets</td>
<td>Cul-de-sac streets</td>
<td></td>
</tr>
<tr>
<td>-----------------------------</td>
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<td>------------------</td>
<td>--------------</td>
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<tr>
<td></td>
<td>38 *¹</td>
<td>32 *¹</td>
<td>24 (Public)</td>
<td>24 (Public) / 16 (Private)</td>
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<td>32 *¹</td>
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<td>38 *¹</td>
<td>32 *¹</td>
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<table>
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<tr>
<th>Street curvature - minimum centerline radius (feet)</th>
<th>Arterials Major collectors</th>
<th>Arterials Minor collectors</th>
<th>Arterials Minor streets</th>
<th>Cul-de-sac streets</th>
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</thead>
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<tr>
<td>Per County Highway Dept.</td>
<td>375</td>
<td>375</td>
<td>375</td>
<td>375</td>
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<tr>
<td>Per County Highway Dept.</td>
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<td>375</td>
<td>375</td>
<td>375</td>
</tr>
<tr>
<td>Per County Highway Dept.</td>
<td>150</td>
<td>150</td>
<td>150</td>
<td>150</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street *6</th>
<th>Public (built to public standards) or Private (minimum 8 inches of rock or 6 inches of rock on an engineering fabric) built to Public Standards</th>
<th>Public or Private built to Public Standards</th>
<th>Public or Private built to Public Standards</th>
<th>Public or Private built to Public Standards *7</th>
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<tbody>
<tr>
<td>Curb and gutter required</td>
<td>No</td>
<td>Yes</td>
<td>Yes *5</td>
<td>Yes</td>
</tr>
<tr>
<td>Public water required</td>
<td>No</td>
<td>Yes *2</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Sanitary sewer required</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Sidewalks</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Improvement plans</td>
<td>Yes *8</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

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*¹ Public or Private built to Public Standards
*² Yes *²
*³ Yes
*⁴ Yes
*⁵ Yes *5
*⁶ Yes
*⁷ Yes
*⁸ Yes
<table>
<thead>
<tr>
<th>Setback line—minimum (feet)</th>
<th>50</th>
<th>35</th>
<th>25 *4</th>
<th>25 *4</th>
<th>25-35</th>
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<tbody>
<tr>
<td>Lot width—minimum (feet)</td>
<td>150</td>
<td>150</td>
<td>70-100</td>
<td>Variable, depending on District 35-70</td>
<td>N/A</td>
</tr>
</tbody>
</table>

1. If needed.

2. If public water supply is reasonably accessible.

3. See Street Right-of-Way and Utility Easement Requirements of this section regarding criteria for larger (55’ pavement/63’ r/w) turnarounds.

4. Except for PUD Overlay Districts.

5. Except private with adjacent parking.

6. Per St. Charles County Highway specifications. Coring to be included for all type pavements with penalties for deficiencies.

7. Private with adjacent parking, 24 ft. minimum pavement width with right-of-way equal to street width.

8. See § 410.390 for exemptions applicable to private rock streets up to a ¼ mile in length.

9. Not including the width of any curb & gutter.

N/A: Not Applicable
Section 6. Section 410.350, OSCCMO, is hereby amended as follows: added text in **bold type**, deleted text in [bracketed and stricken type].

A. [Public Streets.] Longitudinal grades and curved alignments proposed for all [public] streets shall meet the requirements of Sections 20.10—20.50 of St. Charles County's "Design Criteria for the Preparation of Improvement Plans" as issued by the St. Charles County Highway Department in February, 2002, or as amended thereafter. **Streets approved with no curb and gutter shall have a minimum grade of one percent (1%).**

B. Private [Minor Streets Within Subdivisions Zoned "A" And "RR",] Service Drives And Alleys. Longitudinal street grades shall be two percent (2%) minimum, twelve percent (12%) maximum. [Private minor streets] Service drives and alleys with no curb and gutter shall have a minimum grade of one percent (1%). [Curved alignment of private minor streets shall meet the minimum requirements for minor public streets as listed in Section 20.30 of St. Charles County's "Design Criteria for the Preparation of Improvement Plans" as issued by the St. Charles County Highway Department in February 2002, or as amended thereafter.]

C. Private Minor Streets Within Subdivisions Zoned ["A" And] "RR", Service Drives And Alleys. Longitudinal street grades shall be two percent (2%) minimum, twelve percent (12%) maximum. Private minor streets with no curb and gutter shall have a minimum grade of one percent (1%).
Curved alignment of private minor streets shall meet the minimum requirements for minor public streets as listed in Section 20.30 of St. Charles County's "Design Criteria for the Preparation of Improvement Plans" as issued by the St. Charles County Highway Department in February 2002, or as amended thereafter.

Section 7. Section 410.370, OSCCMO, is hereby amended as follows: added text in **bold type**, deleted text in [bracketed and stricken type].

Section 410.370 Street Pavement Requirements.

A. Streets shall be graded to the full width of the right-of-way and the pavement fully constructed of the following materials and thicknesses:

1. Public streets. All public streets shall meet the minimum paving standards required in Sections 20.10—20.40 of St. Charles County's "Design Criteria for the Preparation of Improvement Plans" as issued by the St. Charles County Highway Department in February, 2002, or as amended thereafter.

   a. Collector streets.

      (1) Nine and one-half (9½) inches of asphaltic concrete on a four (4) inch thick compacted aggregate base.

      (2) Seven (7) inches of Portland
cement concrete on a four (4) inch thick compacted aggregate base.

b.  Minor streets.

(1) Seven and one-half (7 1/2) inches of asphaltic concrete on a four-inch-thick compacted aggregate base.

(2) Six (6) inches of Portland cement concrete on a four-inch-thick compacted aggregate base.

c.  Temporary pavements.

(1) Seven (7) inches of Type "X" asphaltic concrete on properly compacted subgrade; or

(2) Four (4) inches of Type "C" asphaltic concrete on seven (7) inches of compacted, rolled stone base.

2.  Private streets.

a. Eight (8) inches of aggregate on properly compacted subgrade, or

b. Six (6) inches of aggregate on an engineering fabric on properly compacted subgrade.
B. Subgrade and street pavement construction shall conform to the requirements set forth in "St. Charles County's "Standard Specifications for Highway Construction".

Section 8. Section 410.390, OSCCMO, is hereby amended as follows: added text in **bold type**, deleted text in [bracketed and stricken type].

Section 410.390 Designation of Private Streets.

A. Streets within subdivisions which are designated as private streets shall meet or exceed private street standards as provided within this Chapter unless otherwise exempt pursuant to this Section. The County may accept for dedication private streets that are brought up to public street standards in existence at the time public dedication is requested. For any subdivision having private streets which received final/ minor plat approval from St. Charles County after September 15, 1980, including streets exempted from certain other requirements in this Section, the developer must construct a sign prior to recording of the final/ minor plat at all entrances of the subdivision, along the inbound lane of the subdivision within one hundred (100) feet to one hundred fifty (150) feet of the subdivision entrance, which shall state: "Private Streets Maintained by Property Owners." These signs shall be installed prior to the recording of the final/ minor plat and where they are easily visible entering the subdivision and maintained in good order by the developer until the last lot is sold in the subdivision. The minimum size for each sign
shall be twenty-four (24) inches high by thirty (30) inches wide, with two-inch letters. There shall also be a sufficient contrast in the coloring of the sign background, as compared to the message lettering.

B. Notwithstanding any other provision in this Chapter, any private street meeting all of the following criteria shall be exempt from all street design and street construction standards in this Chapter, improvement plan preparation requirements in Section 410.160, and street construction performance guarantees in Section 410.180:

1. The total network of streets proposed to be exempted are no more than 1/4 mile in total length and serve no more than five (5) single-family residential lots, with each lot being no less than three (3) acres in size;

2. Constructed with a rock surface in the manner set forth in the following Subsection;

3. Does not cross any channel (as defined in Section 405.060);

4. Does not use any storm sewers, public or private, for road drainage except for culverts at street crossings of drainage ditches; and

5. Does not connect to any street previously exempted from standards pursuant to this Subsection.
C.—Any street constructed pursuant to the exemption set forth in the previous Subsection shall be constructed only after obtaining a permit for the construction of such street from the Highway Department, with permit and inspection fees assessed in accordance with Sections 425.010 and 425.020(K). Inspections shall be performed in the same manner as for other types of subdivision improvements but shall be limited to monitoring for compliance with the following requirements:

1. Rock surface shall be at least eight (8) inches deep over compacted subgrade, or at least six (6) inches deep placed on geotextile fabric over compacted subgrade; and

2. Surface and subgrade preparation, compaction, and modification shall be performed in compliance with the portions of St. Charles County Standard Specifications for Subdivision Street Construction applicable to earthwork, bases and aggregate surfaces.

D.—No street exempted from standards pursuant to Subsection B shall be eligible for dedication to and maintenance by the public in the future.

Section 9. Section 425.020 is hereby amended as follows: added text in **bold type**, deleted text in [bracketed and stricken-type].
Section 425.020   Fees For Services and Permits As Required By The Unified Development Ordinance.

****

I. (Reserved)—The Division of Planning and Zoning shall charge the following fees for reviewing minor plats pursuant to Section 410.105 of the Unified Development Ordinance:

1. Two hundred dollars ($200.00) plus five dollars ($5.00) for each lot, for single-family residential plats.

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Section 10. This ordinance is subject to penalty provisions for its violation and therefore, for penal purposes, shall be effective thirty-one (31) days after its posting in six public places, its publication in full on the web site of St. Charles County, and the publication of its title and the location in St. Charles County where it may be viewed in its entirety in a legal publication or a newspaper of general circulation in St. Charles County.
Comm Dev. Amending Sections 410 and 425.020.3-20.F