Substitute Bill No. 4566
Requested by: Dave Hammond, Mike Klinghammer, Joe Brazil
Sponsored by: Dave Hammond, Mike Klinghammer, Joe Brazil

AN ORDINANCE AMENDING SECTIONS 410.110.C AND 410.390 OF THE ORDINANCES OF ST. CHARLES COUNTY MISSOURI, THE UNIFIED DEVELOPMENT ORDINANCE, AND EXHIBIT A TO CHAPTER 410, TO EXEMPT SPECIFIC TYPES OF SHORT PRIVATE GRAVEL STREETS FROM CERTAIN REQUIREMENTS FOR STREET DESIGN AND CONSTRUCTION

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 subdivision regulations in Chapter 410 OSCCMo; and

WHEREAS, Section 410.030.5 OSCCMo, provides that the provision in Chapter 410 shall be administered to ensure orderly growth and development and facilitate the provisions in the current Master Plan as approved by the Governing Body and the Unified Development Ordinance for St. Charles County, Missouri; and

WHEREAS, the County Council finds that it is in the public interest to amend certain regulations of Chapter 410, namely Sections 410.110.C and 410.390, and Exhibit A to
Chapter 410, as provided herein to exempt short, private gravel streets that meet the criteria established herein from certain requirements governing subdivision improvements.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 410.110.C, is hereby amended as follows (added text in **bold type**, deleted text in [bracketed-and-stricken-type]).

Section 410.110. Preliminary Plat Requirements.

C. *Preliminary Plat Information.* Preliminary plats shall include, at minimum, the following unless waived by the Director of Planning and Zoning:

1. **Identification.**
   
   a. Proposed name of the subdivision.
   
   b. Names, addresses, and telephone numbers of owners, developers, and the engineers, as well as the surveyors responsible for preparation.
   
   c. North point, a scale of one (1) inch equals two hundred (200) feet or larger, and date.
   
   d. Approximate acreage in tract to one-tenth (1/10) of an acre.
   
   e. Location or key map.
   
   f. A statement to the effect that "this plat is not for record" shall be stamped or printed on all copies of the preliminary plat.
2. **Plat information.**

a. Location of boundary lines and their relation to established section lines, fractional section lines or U.S. survey lines.

b. Physical features of property, including watercourses, ravines, ponds (standing water), existing and proposed bodies of water, levees or drainage area, forested areas (every effort must be made to preserve as many existing trees as possible), outcropping of rock, bridges, culverts, present structures, existing sidewalks, pipelines, overhead electric lines and off-street parking, if applicable, as well as all easements of record for pipelines, overhead electric lines and other utilities. Watercourses left in their natural state must be shown within common ground, with lot lines set back from the top of the existing stream bank, or from the 10-year, 24 hour or 15-year, 20 minute water surface elevation, where no established top-of-bank can be determined, for all subdivisions except those with lots three (3) acres or larger in size, as provided by Part 3, Article VI of Chapter 405 of this Unified Development Ordinance. All 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".

c. Indicate average lot size for the development.

d. Topography of tract with contour interval of one (1), two (2), or five (5) feet on U.S.G.S. Datum.

e. Names of adjacent subdivisions, including existing lot numbers and/or property lines and owners, around perimeter within one hundred (100) feet, showing existing streets, highways, etc.

f. Location, width, and names of existing and proposed streets with right-of-way, pavements, roads, lot dimensions, sidewalks, setback lines, easements, parks, school sites, and other features of the proposed subdivision.

g. Cul-de-sac islands and raised medians shall be included within right-of-way if that right-of-way is dedicated by plat to the public and if improvements within that right-of-way are to be maintained by the public, as provided in Section 410.210(C), below.

h. Indicate the street dedication public or private. [Note that all public streets
will be constructed to St. Charles County Public Standards. Private streets will be constructed either to Public Standards, if applicable, or to the standards of Section 410.370(A)(2). If a private street, indicate the structural composition of the street.

i. All approximate gradients of streets will be shown.

j. Indicate the centerline curve radius on streets.

k. Depict a standard County entrance configuration at the entrance(s) to the development.

l. Depict any dedication strips along existing roadways.

m. Designation of land use, whether for residential, commercial, industrial, or public use, and present zoning district.

n. Designation of utilities to serve proposed subdivision.

o. Designation of the school and fire district which serves the proposed subdivision.

p. Location of dry and/or wet detention areas for stormwater runoff in common ground, with permanent feasible access provided for maintenance of same. The plat shall also dedicate to St. Charles County or its successors in interest an easement of access to and in the common ground occupied by any detention areas for the purpose of inspection and enforcement of all
applicable regulations of such detention areas.

q. Common ground acreage to nearest one-tenth (1/10) of an acre and designation of common ground.

r. 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. Any floodway areas or wetlands must be shown as common ground.

s. Provide proposed development stormwater runoff factor.

t. Other information, as may be required by the Director of the Division of Planning and Zoning, to serve the intent and purpose of this Chapter.

u. Depict the location of water lines for subdivisions with individual water treatment systems.

v. Note on plat that all stub streets will likely be extended in the future development.

Section 2. Section 410.390, is hereby amended as follows (added text in **bold type**, deleted text in [bracketed and striken 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 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 plat at all entrances of the subdivision, along the inbound lane of the subdivision within one hundred (100) 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 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 (2) 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 \( \frac{1}{4} \) 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 8” deep over compacted subgrade, or at least 6” 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 3. Exhibit A to Chapter 410 of the Ordinances of St. Charles County, Missouri is hereby amended by substitution. The new Exhibit A is set forth as EXHIBIT A to this bill.

Section 4. This ordinance shall be in full force and effect from and after the date of its passage and approval.

January 29, 2018
DATE PASSED

February 1, 2018
DATE APPROVED BY COUNTY EXECUTIVE
CHAIR OF THE COUNCIL

COUNTY EXECUTIVE

ATTEST:

COUNTY REGISTRAR
## EXHIBIT A. REQUIRED SUBDIVISION DESIGN AND IMPROVEMENT STANDARDS

<table>
<thead>
<tr>
<th>Improvement</th>
<th>3 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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<tr>
<td><strong>Right-of-way (feet)</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Arterialls</td>
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<td>60-100 (2-5 lanes)</td>
<td>60-100 (2-5 lanes)</td>
<td>60-100 (2-5 lanes)</td>
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<td>150</td>
<td>70-100</td>
<td>Variable, depending on District 35-70</td>
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</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 1/4 mile in length.
9. Not including the width of any curb & gutter.

N/A: Not Applicable