

**The 2015
Military Airport Zoning Ordinance
and Subdivision Regulations
for the
Unincorporated Area
of
Johnson County, Missouri**

PUBLISHED BY

JOHNSON COUNTY AIRPORT ZONING COMMISSION

300 NORTH HOLDEN WARRENSBURG, MO 64093

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ARTICLE I. TITLE AND PURPOSE

Section 101. Title

This Ordinance may be cited as “The 2009 Military Airport Zoning Ordinance for the Unincorporated Area of Johnson County”. It may also be referred to as “The Military Airport Zoning Ordinance”.

Section 102. Purpose

The purpose of this Ordinance is to satisfy the statutory mandate of RSMo 41.655 by promoting the public health and safety in the vicinity of the Whiteman Air Force Base and airport by minimizing exposure to crash hazards and high noise levels generated by military airport operations and to establish only the necessary restrictions to allow for the safe and secure daily activities of both the public and government. In establishing this Ordinance the objective is to minimize encroachment to the military installation while also minimizing the impact on daily activities of both the public and government.

Section 103. Authority

This Ordinance is adopted pursuant to the authority granted by RSMo 41.655 and related planning and zoning authority granted to Missouri Counties by Missouri state statutes.

Section 104. Minimum Standards

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements. Where the Ordinance imposes a greater restriction upon land use or structures than is imposed or required by existing provisions of law, resolution, contract or deed, the provisions of this Ordinance shall apply.

In the event of any conflict between any of the provisions of this Ordinance and any other regulations applicable to the same area, whether the conflict is with respect to the height of structures, or trees, the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail.

Section 105. Separability

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part other than the part so declared to be unconstitutional or invalid.

ARTICLE II. RULES AND DEFINITIONS

Section 201. General Rules For Construction of Language

The words and terms in this Ordinance shall have their common and ordinary usage, except that certain words and terms shall have the meaning expressly stated below.

Section 202. Definitions

For the purpose of this Ordinance, certain words are defined as follows:

1. Accident Potential Zone (APZ) One means the area within a three thousand feet wide by five thousand feet long rectangle area centered on the flight path, having two of its sides parallel with, and one thousand five hundred feet from either side of, an extension of the center line of a runway running from three thousand to eight thousand feet from the midpoint of the end of the runway, as defined in the Air Installation Compatible Use Zone Report.
2. Accident Potential Zone (APZ) Two means the area within a three thousand feet wide by seven thousand feet long rectangle area centered on the flight path, having two of its sides parallel with, and one thousand five hundred feet from either side of, an extension of the center line of a runway running from eight thousand to fifteen thousand feet from the midpoint of the end of the runway, as defined in the Air Installation Compatible Use Zone Report.
3. Agricultural Uses shall include the production of farm crops such as vegetables, fruit trees, cotton and grain, hay, to include equipment storage on the area as well as the raising thereon of farm poultry and farm livestock including but not limited to chickens, horses, cattle, sheep, and swine and others as defined in Section 277.024 RSMo. It shall not include Concentrated Animal Feeding Operations (CAFOs).
4. Air Installation Compatible Use Zone Report those published reports prepared by the Department of the Air Force examining, evaluating, and summarizing the aircraft operations at U.S. Air Force Bases with respect to the effects of noise and accident hazards.
5. Clear Zone (CZ) means the 3,000 feet by 3,000 feet square area at each end (threshold) of the runway, centered on the flight path. Next to the CZ, Accident Potential Zone (APZ) 1 is 3,000 feet wide by 5,000 feet long area centered on the flight path. Next to APZ 1, APZ II 3,000 feet wide by 7,000 feet long area center on the flight path.
6. Commission the Airport Zoning Commission of Johnson County.
7. Concentrated Animal Feeding Operation (CAFO) describes agricultural operations where large numbers of animals are kept and raised in confined situations where feed is brought to animals rather than the animals grazing or otherwise seeking feed in pastures, fields, or on rangeland. These operations are further defined and governed by the United States Environmental Protection Agency and the Missouri Code of State Regulations 20-6.300 and the Revised Statutes of Missouri 261.105 as amended.
8. Day-Night Sound Level (Ldn) means the sound level during a twenty four (24) hour time period with a ten (10) decibel penalty applied to the equivalent sound level during the nighttime hours of ten o'clock pm to seven o'clock am.

9. Decibel means the physical unit commonly used to describe noise levels. NOTE: Noise exposure contours shown on AICUZ map represent the average, annual noise exposure due to all flight operations and are calculated to predict the perception of disturbance or annoyance to residence within these areas. Although such sound footprints are labeled as "Decibels" (e.g. 65dB, 70dB, etc.) these do not represent actual continuous sound pressures. No noises from Whiteman AFB aircraft are a hazard to hearing for those who are off-base.
10. Non-Conforming Use (Grandfathered) means the use of any building or premises which was lawfully used at the time of the effective date of this Ordinance but which does not conform with the regulations and requirements of the Ordinance.
11. Height of Buildings the vertical distance from grade to the highest point of a flat, mansard, hip, gable or gambrel roof, or fixture thereto.
12. High Noise Levels means sound levels which equal or exceed that within the 65 Ldn noise contour line developed by the application of the day-night average sound level methodology of sound measurement (Ldn).
13. Human Occupancy shall mean and refer to any building or structure having overnight or longer living accommodations or that is intended for such use.
14. Ldn means the Day-Night Sound Level sometimes abbreviated "DNL".
15. Military Airport means an airport operated by the United States and primarily used for military fixed-wing jet aircraft operations. Military Airport does not include any runway or airstrip not immediately adjacent to facilities primarily used for operational control, maintenance and permanent parking of aircraft.
16. Military Airport Zoning Clearance means the issuance of a permit or authorization by the Zoning Commission indicating that a proposed building, structure, or use of land meets all the regulations contained in this Ordinance.
17. Parcel: Any portion of land that is individually listed and described in the county's assessment records. A parcel must consist of all contiguous land owned by the same legal entity and of a single use within a section.
18. Runway means an artificially surfaced strip of ground designated and actively used at a military airport for the landing and takeoff of aircraft.
19. Severe Accident Potential refers to the level of crash hazard risk associated with the Clear Zone identified in the United States Air Force Air Installation Compatible Use Zone Report for the respective military airport.
20. Significant Accident Potential refers to the level of crash hazard risk associated with the Accident Potential Zone Two identified in the United States Air Force Air Installation Compatible Use Zone Report for the respective military airport.

21. Substantial Accident Potential refers to the level of crash hazard risk associated with the Accident Potential Zone One identified in the United States Air Force Air Installation Compatible Use Zone Report for the respective military airport.
22. Zoning Clearance means Military Airport Zoning Clearance.

ARTICLE III. DISTRICTS

Section 301. Establishment of Districts

For the purpose of promoting health, safety, morals, comfort and the general welfare of the unincorporated portion of the county three-thousand (3,000) feet outward of the Whiteman Air Force Base and within the perimeter of accident potential zones one and two by minimizing exposure to crash hazards and high noise levels generated by military airport operations and to establish only the necessary restrictions to allow for the safe and secure daily activities of both the public and government, the following classes of zoning districts are established:

- AR-1– Agricultural Residential Zoning District
- AR-2 – Agricultural Residential (5-acre minimum) Zoning District
- R-1 – Single-Family Residential Zoning District
- R-2 – Two-Family Residential Zoning District
- R-3 – Low-Density Residential Zoning District
- B-1 – Local Business and Residential Zoning District
- B-2 – General Business Zoning District
- B-3 – General Services Zoning District
- I-1 – Limited Industrial Zoning District
- CZ – AICUZ Clear Zone Overlay District
- APZ-1 – AICUZ – APZ 1 Overlay District
- APZ-2 – AICUZ – APZ 2 Overlay District

Section 301.1 Official Zoning Map

The boundaries of the zoning districts are shown on the official zoning map or sections thereof attached hereto and made a part hereof of the Ordinance, which map is designated as the “OFFICIAL ZONING MAP OF THE MILITARY AIRPORT ZONING ORDINANCE OF JOHNSON COUNTY, MISSOURI”. The official zoning map and all notations, references and other information shown thereon are a part of this Ordinance and have the same force and effect as if said map and all notations, references and other information shown thereon are all fully set forth herein. The official zoning map shall be on file in the office of the County Clerk of Johnson County, Missouri.

Section 301.2 Changes in Boundaries

Changes in boundaries of the zoning districts shall be made by resolution amending the provisions of particular zoning district article and amending the official zoning map. The amended maps when so adopted shall become a part of this Ordinance.

The area of unincorporated Johnson County three-thousand (3,000) feet outward of the Whiteman Air Force Base and within the perimeter of accident potential zones one and two

subject to the provisions of this Ordinance shall be modified immediately by resolution upon modification of the boundaries of the Whiteman Air Force Base.

ARTICLE IV. NON-CONFORMING USE (Grandfathered)

Section 401. Non-Conforming Use

- A. Non-conforming uses are declared by this Ordinance to be incompatible with permitted uses in the district in which such uses are located. It is the intent of this Ordinance to permit non-conforming uses to continue until they are removed. It is further the intent of this Ordinance that non-conforming uses shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.
- B. Vested Use: To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plan, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption of this Ordinance and upon which actual building construction activity has been carried on diligently.
- C. Single non-conforming lots of record: In any district in which single-family dwellings are permitted, a single-family dwelling and accessory buildings may be constructed on a single lot of record created on or before the date of adoption of this Ordinance or amendments. This provision shall apply even if such lot fails to meet the requirements for area or other lot dimension requirements of the particular district.
- D. Non-conforming uses of structures and land use: If a lawful land use exists at the effective date of adoption or amendment of this Ordinance that would not be allowed in the district under the terms of this Ordinance the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:
 - 1. No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located may be enlarged, extended, constructed or moved except in changing the use of the structure to a use permitted in the district in which it is located, only through a conditional use permit.
 - 2. If no structural alterations are made, a non-conforming use of a structure or land may, upon the issuance of a Conditional Use Permit be changed to another non-conforming use provided a finding is made by the Commission that the proposed use is equally appropriate or more appropriate to the district and surrounding properties than the existing non-conforming use.
 - 3. When a non-conforming use is discontinued or abandoned for more than three (3) years, the structure(s) and land thereon shall not thereafter be used except in conformity with the regulations of the district in which it is located. The time period in this provision may be extended through issuance of a Conditional Use Permit.
- E. Repair and maintenance: On any non-conforming structure, or portion of a structure containing a non-conforming use, work may be done on ordinary repair, reconstruction or replacement provided that the cubic content existing when it became non-conforming shall not be increased. Nothing in this section shall be deemed to prevent

the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety. No preexisting nonconforming structure, tree, or use, shall be replaced, rebuilt, altered, allowed to grow higher, or replanted, so as to constitute a greater airport hazard than it was when this Ordinance was enacted.

- F. No provision of this Ordinance shall require the removal, lowering, or other change or alteration of any structure or tree, or interfere with any use, not conforming to the regulations when adopted or amended, except that they may require the owner thereof to permit the County at its own expense to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to operators of military aircraft the presence of the airport hazard.

ARTICLE V. ADMINISTRATION

Section 501. Office of Zoning Administrator

There is hereby established in Johnson County, Missouri, the office of Zoning Administrator that shall be under the jurisdiction of the County Commission. The Zoning Administrator shall be the officer charged with the administration and enforcement of this Ordinance.

Section 502. Permits Required

In the defined zoning area it shall be unlawful to construct, alter, or to commence the creation, construction, alteration, or use of a building or structure of 500 square feet or more, without obtaining a Military Airport Zoning Clearance from the Office of Zoning Administrator, except that such clearance shall not be required for repairs or improvements that are not contrary to the guidelines and restrictions of this Ordinance or supporting regulations.

ARTICLE VI. AIRPORT ZONING COMMISSION

Section 601. Airport Zoning Commission

There is hereby created an "Airport Zoning Commission" to perform in administration of this Ordinance with the powers and duties set out herein. The Commission shall consist of five (5) members as follows:

Three (3) residents of the County appointed by the County Commission and who reside in the townships containing Whiteman Air Force Base; the presiding county commissioner or such commissioner's designee; and, the county road supervisor who shall serve only for the duration of the supervisor's term of official position.

The Airport Zoning Commission may appoint an ex officio military liaison from the armed forces of the United States who is stationed at the military base.

The terms of the appointed members of the Commission shall be six (6) years; except that the

terms shall be overlapping. Vacancies shall be filled by appointment by the County Commission for the unexpired term

The Commission shall elect a chair at the first meeting of the calendar year to serve for such year until a new chair is elected. The Commission may create and adopt rules for the transaction of its business, consistent with this Ordinance, and shall keep a public record of its resolutions, transactions, findings and recommendations.

Any appointed member to the Zoning Commission who is unable to attend a scheduled meeting, must notify the Chairman of the Zoning Commission of their planned absence within 48 hours of the scheduled meeting. Emergency situation may occur and will be handled on a case by case basis, but notification to the Chairman is required as soon as possible. In all situations when notification has been made, the Chairman will enter an excused absence in the minutes of the meeting missed.

If an appointed member to the Zoning Commission is unable to attend two consecutive meetings without an Excused Absence, the Chairman will recommend to the Johnson County Commissioners, the member should be removed from their position and replaced with a new appointed member, who will complete the term of office of the member removed. As participation on the Zoning Commission is critical to the support of the residents, attendance at all meetings is required and "Johnson County Commissioners" will take this recommendation as serious grounds to replace the non-attending member.

Section 602. Authority and Jurisdiction

The Commission shall have all powers granted a county planning commission appointed pursuant to Missouri State Statutes.

ARTICLE VII. BOARD OF VARIANCE (ADJUSTMENT)

Section 701. Board of Variance (Adjustment)

There is hereby created a "Board of Variance (Adjustment)" to perform in administration of this Ordinance with the powers and duties set out herein. Members of the Board shall be appointed by the County Commission. The Board shall consist of three residents of the county, with at least two of such county residents residing the township containing Whiteman Air Force Base, and not more than one may be a member of the Airport Zoning Commission. The membership of the first board appointed shall serve respectively: One for one year, one for two years, one for three years. Thereafter members shall be appointed for terms of five years each. Members of the Board shall be removable for cause by the County Commission upon written charges and after public hearings. Vacancies shall be filled by appointment by the County Commission for the unexpired term.

The Board shall elect a chair at the first meeting of the calendar year to serve for such year until a new chair is elected. The Commission may create and adopt rules for the transaction of its business, consistent with this Ordinance and Sections 64.510 to 64.695 RsMO, and shall keep a public record of its resolutions, transactions, findings and recommendations.

Any appointed member to the Board of Variance who is unable to attend a scheduled meeting, must notify the Chairman of the Zoning Commission of their planned absence within 48 hours of the scheduled meeting. Emergency situation may occur and will be handled on a case by case basis, but notification to the Chairman is required as soon as possible. In all situations when notification has been made, the Chairman will enter an excused absence in the minutes of the meeting missed.

If an appointed member to the Board of Variance is unable to attend two consecutive meetings without an excused absence, the Chairman will recommend to the Johnson County Commissioners, the member should be removed from their position and replaced with a new appointed member, who will complete the term of office of the member removed. As participation on the Board of Variance is critical to the support of the residents, attendance at all meetings is required and Johnson County Commissioners will take this recommendation as serious grounds to replace the non-attending member.

Section 702. Authority and Jurisdiction

The chairman of the Board or in his or her absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public and minutes shall be kept of all proceedings and official actions, which minutes shall be filed in the office of the Board and shall be a public record.

The Board shall have the following powers and it shall be its duty:

- a. To hear and decide all matters referred to it under the authority of these regulations.
- b. Where, a literal application or enforcement of this Ordinance would result in practical difficulties or unnecessary hardship upon the owner of the property as an unreasonable deprivation of use as distinguished from the mere grant of privilege, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the practical difficulties or unnecessary hardship, provided the relief granted would not be contrary to the public interest, except that any such variance may be allowed subject to any reasonable conditions that the Board may deem necessary to effectuate the purposes of this Ordinance, including the reservation of the right of the County, at its own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to operators of military aircraft the presence of the airport hazard.

In exercising the above powers, the Board, by concurring vote of a majority may reverse or affirm wholly or partly, or may modify any order, requirement, decision or determination of any administrative official or to decide in favor of an applicant on any matter upon which it is required to pass under any regulations in this Ordinance or to approve any variance therefrom, and to that end shall have the powers of the officer from whom the appeal is taken.

Section 703. Appeals

Appeals to the Board may be taken by any owner, lessee or tenant of land, or by a public officer, department, board or bureau, affected by a decision of the Zoning Administrator in

administering this Ordinance or affected by a decision of the Airport Zoning Commission upon a Conditional Use Permit. Such appeals shall be taken within thirty (30) days after a decision has been made by filing an application for appeal with the Zoning Administrator.

An appeal shall stay on legal proceedings in furtherance of the action appealed from unless, after the application for appeal has been filed with the Zoning Administrator, that by reason of facts stated in the certificate of stay would cause imminent peril to life or property.

Section 704. Application and Hearing

- A. Application for an appeal or variance shall be made by the owner or lessee or authorized agent of the affected property on a form prescribed by the Zoning Administrator.
- B. An appeal or variance shall not be granted by the Board unless the Board makes specific findings of fact based directly on the particular evidence presented to it which support conclusions that the case meets the standards of conditions of Section 704(f).
- C. Upon receipt of an application, the Board shall select a reasonable time and place for the hearing. Public notice of the time, place, date and subject of the hearing shall be published once in the official newspaper at least fifteen (15) days prior to the date of the hearing. A copy of the public notice shall be mailed via certified mail to the applicant and the owners of record of land located within 1,000 feet of the property that is the subject of the hearing. Failure to receive such notice shall not invalidate any subsequent action taken.
- D. Any interested party may appear and be heard at the hearing in person, by agent or by legal counsel.
- E. The Board shall have the authority to affirm, reverse, all or part, or modify any order, requirement or decisions appealed to it. The Board shall also have the authority to provide variances from the provisions of these regulations in the following instances:
 1. To vary the applicable lot area, lot width and lot depth requirements.
 2. To vary the applicable bulk regulations, including maximum height, lot coverage and minimum yard requirements.
 3. To vary the applicable off-street parking and off-street loading requirements.
- F. The Board shall not grant a variance unless it shall, in each case, make specific findings of fact directly based upon the particular evidence presented that support conclusions that:
 1. The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district, and is not created by an action or actions of the property owner or applicant.
 2. The granting of the variance will not adversely affect the rights of adjacent property owners or residents.
 3. The strict application of the provisions of these regulations from which a variance is requested will constitute practical difficulty or unnecessary hardship upon the property owner represented in the application.
 4. The variance requested will not violate existing local, state and federal laws, regulations or codes or adversely affect the public health, safety, morals or general welfare and general intent of this Ordinance.
 5. Any such variance may be allowed subject to any reasonable conditions that

- the Board may deem necessary to effectuate the purposes of this Ordinance.
- G. The Board shall not grant a variance that will permit any use not permitted by this Ordinance in the subject district.
 - H. In granting a variance, the Board may impose such conditions and requirements upon the property benefiting from the variance as may be necessary to comply with the standards of these regulations to reduce or minimize any potentially injurious effect of such variance upon other property in the surrounding area, and to carry out the general purpose and intent of this Ordinance.
 - I. No variance granted by the Board shall be valid for a period longer than 180 days from the date of approval unless within such time period the activity or project that is subject to the variance is commenced.

ARTICLE VIII. CONDITIONAL USE PERMIT

Section 801. Conditional Use Permit – Description and Purpose

It is recognized that certain types of uses require special consideration prior to their being permitted in a particular district. The reasons for requiring such special consideration involve the nature, size and character of the use, potential impact on surrounding properties and uses and impact on the development of the county as a whole.

All uses permitted conditionally are declared to be possessing such unique and special characteristics as to make impractical their being included as permitted uses in any of the various districts herein defined. The authority for the location and operation thereof shall be subject to review and the issuance of a Conditional Use Permit by the Airport Zoning Commission. The purpose of review shall be to determine that the characteristics of any such use shall not be reasonably incompatible with the type of uses permitted in surrounding areas and for the further purpose of stipulating such conditions as may be reasonable so that the basic purposes of this Ordinance shall be served. Nothing in this section shall be construed to require the granting of a Conditional Use Permit.

Section 802. Application

Application for a conditional use permit shall be made by the owner or lessee or authorized agent of the affected property on a form prescribed by the Zoning Administrator.

Section 803. Criteria

A conditional use permit may be granted only if the proposal conforms to all the following general criteria:

- A. That the location, size, design and operating characteristics of the proposed use will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to the harmony in scale, bulk, coverage and density, and to the availability of public facilities, utilities; to the potential detrimental effect, if any, upon desirable neighborhood character, the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of the development.
- B. That the location, size, design and operating characteristics of the proposed use will provide a convenient and functional living, working, shopping or civic environment,

and will be as attractive as the nature of the use and its location and setting warrants.

- C. That the proposed use will enhance the successful operation of the surrounding area in its basic community functions or will provide an essential service to the community or region.
- D. That the proposed use will be compatible and not in conflict with the purpose of military airport compatibility and of this Ordinance.
- E. Proposal does not violate existing local, state, and federal laws, regulations or codes.

Section 804. Procedure

Upon receipt of an application, the Commission shall select a reasonable time and place for the hearing. Public notice of the time, place, date and subject of the hearing shall be published once in the official newspaper at least fifteen (15) days prior to the date of the hearing. A copy of the public notice shall be mailed via certified mail to the applicant and the owners of record of land located within 1,000 feet of the property that is the subject of the hearing. Failure to receive such notice shall not invalidate any subsequent action taken.

The Commission shall hold a public hearing and shall determine whether the proposal conforms to the general criteria set forth in Section 803 and may grant or deny the application for the conditional use permit or require such changes or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity with said criteria. The action by the Commission shall be by the simple majority of the members present. The minutes of the Commission shall state the reasons for the decision relative to the general criteria in Section 803. The decision of the Commission shall become final fifteen (15) days following the decision unless it is appealed to the Board of Variance (Adjustment) in accordance with Section 703 and related sections.

Section 805. Revocation

In the event of a violation of any of the provisions of these regulations or in the event of a failure to comply with any prescribed conditions of approval, the Commission may, after notice and hearing in the same manner as prescribed for a conditional use permit application, revoke any conditional use permit.

Section 806. Appeal

Any decision of the Commission in regards to a conditional use permit may be appealed to the Board of Variance (Adjustment) in accordance with Section 703 and related sections.

ARTICLE IX. AMENDMENT

Section 901. General Provisions

Whenever the public necessity, convenience or general welfare require, the County Commission may, by resolution and following receipt of recommendation thereon from the Airport Zoning Commission and subject to the procedures provided by this Ordinance and state statutes, amend, supplement, change or repeal this Ordinance.

Section 901. Initiation of Zoning Amendment

Amendments to this Ordinance may be initiated in one of the following ways:

1. By adoption of a motion by the Airport Zoning Commission
2. By the filing of an application by the owner of record of subject property to be affected, or in the case of text amendments not specifically affecting a single property by any resident of voting age of the County.

Section 902. Application

Application for an amendment shall be made on a form prescribed by the Zoning Administrator.

Section 903. Airport Zoning Commission Procedure

All applications for amendment shall first be considered by the Airport Zoning Commission in a public hearing.

Upon receipt of an application, the Commission shall select a reasonable time and place for the hearing. Public notice of the time, place, date and subject of the hearing shall be published once in the official newspaper at least fifteen (15) days prior to the date of the hearing. If the proposed amendment would modify zoning district boundaries, a copy of the public notice shall be mailed via certified mail to the applicant and the owners of record of land located within 1,000 feet of the property that is the subject of the hearing. Failure to receive such notice shall not invalidate any subsequent action taken.

The Commission shall hold a public hearing and provide opportunity for public comment both in favor and against the application. The action by the Commission shall be by the simple majority of the members present. A vote either in favor or in opposition to the proposed amendment by a majority of the Commission members present shall constitute a recommendation of the Commission to the County Commission. If a majority of the Commission members present do not vote either in favor or in opposition to the proposed amendment, this constitutes a "failure to recommend".

Section 904. Recommendation

Within fifteen (15) days after the close of the public hearing on a proposed amendment, the Airport Zoning Commission shall submit a report summarizing the Commission's actions to the County Commission. The report submitted to the County Commission shall be accompanied by a copy of the minutes of the Commission related to the proposed amendment.

Section 905. Criteria

When a proposed amendment would result in a change in the text of this Ordinance, the Airport Zoning Commission and County Commission shall make a determination as to:

1. Whether the proposed amendment is consistent with the intent and purpose of this Ordinance.
2. Whether the proposed amendment is made necessary because of changed or

changing conditions in the zoning districts affected and, if so, the nature of such changes or changing conditions.

3. Whether the proposed amendment is made necessary because of changed or changing conditions of the operation, size or other conditions related to Whiteman Air Force Base, including additional information concerning the health effects of high noise levels or the crash hazards associated with military aircraft operations, consistent with the purpose of this Ordinance.

When a proposed amendment would result in a change of the zoning classification of any specific property (a change to the Official Zoning Map), the Airport Zoning Commission and County Commission shall make a determination as to:

1. Whether the proposed amendment is consistent with the intent and purpose of this Ordinance and consistent with the Comprehensive Plan.
2. Whether every use that would be permitted on the specific property reclassified would be compatible with the existing surrounding land uses.
3. Whether adequate public facilities and services, and public safety services exist or can be provided to serve the uses that would be permitted on the specific property reclassified.
4. Whether the proposed amendment would correct an error in the application of these regulations as applied to the subject property.
5. Whether the proposed amendment is made necessary because of the change or changing conditions in the area affected, and if so, the nature of such change or changing conditions.
6. Whether the proposed amendment is made necessary because of changed or changing conditions of the operation, size or other conditions related to Whiteman Air Force Base, consistent with the purpose of this Ordinance.

Section 906. County Commission Procedure

Following submission of a report and recommendation from the Airport Zoning Commission, the County Commission may either accept the recommendation or refer the application back to the Airport Zoning Commission for further consideration and report. In such case, the Airport Zoning Commission shall conduct a second public hearing and reconsider the application in the same manner as prescribed in Section 903. Upon receipt of a second report and recommendation from the Airport Zoning Commission, the County Commission may either approve or disapprove the application by resolution.

Section 907. Protest

In case of written protest against any proposed change or amendment, signed and acknowledged by the owners of thirty percent of the frontage within one thousand (1,000) feet to the right or left of the frontage proposed to be changed, or by the owners of thirty percent of the frontage directly opposite, or directly in the rear of the frontage proposed to be altered, such amendment may not be passed except by the favorable vote of two-thirds of all the members of the County Commission.

Section 908. Change of Official Zoning Map

The amending resolution shall describe the change of boundary to be amended and shall order the Official Zoning Map changed to reflect the amendment and shall amend the section of this Ordinance originally incorporating the same and shall reincorporate the Official Zoning Map as amended.

ARTICLE X. VIOLATIONS AND PENALTIES

Section 1001. Penalties

Following investigation and administrative due process, any violation of any provision of these regulations shall be deemed a misdemeanor. The County Commission shall have the authority to maintain suits or actions in any court of competent jurisdiction to enforce these regulations and to abate nuisances maintained in violation thereof.

ARTICLE XI. GENERAL PROVISIONS

Section 1101. Applying General Provisions

The regulations set forth in this article qualify or supplement as the case may be, the regulations appearing elsewhere in this Ordinance.

Section 1102. Additional Parcel Area and Dimension Regulations

1. Any parcel of record existing at the time this Ordinance or amendments thereto become effective which does not conform with the lot area or width requirements for the area zoned may be used for any use permitted in airport zoning area provided other applicable regulations of this Ordinance are complied with.
2. Any parcel, after this Ordinance or amendments thereto become effective, shall not be reduced in any manner below the lot area and dimension in which it is located, or a lot already less than the minimums so required, such lot area or dimension shall not be further reduced.
3. Any parcel, after this Ordinance or amendments thereto become effective, shall not be reduced or diminished so as to cause the yards, lot coverage or other open spaces to be less than that required by this Ordinance.

Section 1103. Additional Height Restrictions

All buildings, structures, and fixtures necessary to operate and maintain a building shall have a maximum combined height as defined on the Maximum Height Restriction map in Appendix 4.

Section 1104. Parcels Divided by Airport Zoning Area

Whenever a lot of record existing at the effective date of this Ordinance or any applicable subsequent amendment thereto is divided by the airport zoning area, the regulations of this

Ordinance shall be applicable only to the portion of the lot which is located within the respective airport zoning area.

Section 1105. Population Density

For the purpose of managing population growth within the airport zoning area, no more than one (1) residential, single family dwelling may be utilized on a minimum of three (3) acres of land within the airport zoning area; except in zoning districts CZ-AICUZ – Clear Zone Overlay District; APZ-1-AICUZ – APZ 1 Overlay District; and, APZ-2-AICUZ – APZ 2 Overlay District within which said minimum shall be five (5) acres of land.

1. Does not include additional support buildings for storage of equipment, farm usage, garages or shops utilized for support of the owner(s). One out building within 100 feet of the residence may have one bedroom and a bathroom for a family member or temporary guest and shall be considered part of the single-family dwelling.
2. Primary residence of owner(s) or renter utilizing the residence for primary residence.
3. The single-family dwelling will meet all requirements of this ordinance and must be permanently attached to a foundation.

Section 1106. Disclosure Statements

For the purpose of protecting any home buyer who may be looking to purchase a home within the airport zoning area, the owner or seller of the property up for sale is responsible for and must provide the buyer with a Disclosure Statement concerning the existence of this ordinance and the following information:

1. The residence or property offered for purchase is located in a military airport zoning area.
2. The residence or property is near or next to a military airport and noise decibels and vibration levels could be a concern as military operations can be conducted 24 hours a day and seven days a week.
3. The residence on the property was built prior to enacting the Military Airport Zoning Ordinance and therefore, was not necessarily built to withstand high noise decibels or vibration levels.
4. If in fact, the residence has been built to reduce noise levels indoors, state the noise level reduction (NLR) for which the building was designed in accordance with the Department of the Navy's Guidelines for Sound Insulation of Residence Exposed to Aircraft Operation April 2005:
 - a. NLR 25 dB for a building built within the 65 dB to 70 dB noise contours.
 - b. NLR 30 dB for a building built within the 70 dB to 75 dB noise contours.

Section 1107. New Construction concerns on Foundation and Sound Deadening:

Although not required, it is recommended that any new construction of single family dwelling in the airport zoning areas utilize concrete foundation material, windows/doors

of the appropriate Sound Transmission Class (STC), and sound deadening material to meet or exceed noise level reduction (NLR) for locations within contours as recommended by the Department of the Navy's Guidelines for Sound Insulation of Residence Exposed to Aircraft Operations April 2005.

Section 1108. Land Use General Limitations

No sanitary landfills are permitted within the airport zoning area. This is defined as an area of land in which garbage and trash is buried or where waste is buried between layers of earth.

Section 1109. Application of other Ordinances and Laws

All other county ordinances and laws will continue to apply to the airport zoning area. These include, but not limited to:

1. Johnson County Floodplain Management Ordinance.
2. Johnson County Code of Health Regulations.
3. County Sex Offender Ordinance.
4. County Rotation Tow Truck Ordinance.
5. County rules and regulations for establishment, acceptance and maintenance of public roads and platted subdivisions.
6. County ordinance for reducing speed limits on all gravel and hard-surfaced roads.
7. County Right-of-way and road crossing procedures for buried cables.
8. Air Installation Compatible Use Zone Report.

Section 1110. Incorporate into Other Ordinances

If the County has adopted, or hereafter adopts, zoning ordinances under the provisions of Missouri state statutes, the County may incorporate therein such airport zoning regulations as are provided for by Sections 67.1200 to 67.1222 RSMo, and to administer and enforce the same as provided in Sections 67.1200 to 67.1222 RSMo.

ARTICLE XII.

[AR-1 – Agricultural Residential Zoning District]

Section 1201. Description and Purpose

This district is designed for strictly agricultural operations and farming use.

Section 1202. Permitted Uses

- a. Agricultural operations, as defined, including the raising of crops, livestock, orchards and forestry.
- b. Accessory buildings for agricultural operations and non-commercial uses.
- c. Single-family dwellings

Section 1203. Conditional Uses

- a. [none defined]

Section 1204. Building Requirements

- a. All buildings, structures and fixtures necessary to operate and maintain a building, shall have a maximum combined height as defined within the Air Installation Compatible Use Zone Report (Appendix 4).

Section 1205. Lot and Yard Requirements

The following minimum lot and yard requirements shall apply for all structures:

- a. Lot Area – Five (5) acres, exclusive of public right-of-way.

ARTICLE XIII.

[AR-2 – Agricultural Residential (5-acre minimum) Zoning District]

Section 1301. Description and Purpose

This district is designed for large lot residential use in a rural environment where individual lot onsite wastewater treatment system, as defined in Johnson County Code of Health Regulations Section 3.2.3.14, is proposed.

Section 1302. Permitted Uses

- a. Agricultural operations, as defined, including the raising of crops, livestock, orchards and forestry.
- b. Accessory buildings for agricultural operations and non-commercial uses.
- c. Single-family dwellings

Section 1303. Conditional Uses

- a. [none defined]

Section 1304. Building Requirements

- a. All buildings, structures and fixtures necessary to operate and maintain a building, shall have a maximum combined height as defined within the Air Installation Compatible Use Zone Report (Appendix 4).

Section 1305. Lot and Yard Requirements

The following minimum lot and yard requirements shall apply for all structures:

- a. Lot Area – Five (5) acres, exclusive of public right-of-way.

ARTICLE XIV.

[R-1 – Single-Family Residential Zoning District]

Section 1401. Description and Purpose

This district is designed to preserve quiet, low-density residential areas now primarily developed and those areas that will be developed with single-family detached dwellings and characterized by a high ratio of home ownership, and where a Community or Publicly Owned Treatment Works (POTW) Wastewater System as defined in Johnson County Code of Health Regulations Section 3.2.3.7) is proposed. This district is designed to stabilize and protect the essential characteristics of the district and to promote and encourage a suitable environment for activities associated with family life.

Section 1402. Permitted Uses

- a. Single-family dwellings

Section 1403. Conditional Uses

- a. Religious Institutions
- b. Neighborhood Centers

Section 1404. Building Requirements

- a. All buildings, structures and fixtures necessary to operate and maintain a building, shall have a maximum combined height as defined within the Air Installation Compatible Use Zone Report (Appendix 4).

Section 1405. Lot and Yard Requirements

The following minimum lot and yard requirements shall apply for all structures:

- a. Lot Area – Twenty-one thousand, five-hundred (21,500) square feet, exclusive of public right-of-way.
- b. Lot Width – One hundred (100) feet at right-of-way.
- c. Lot Depth – One hundred (100) feet.
- d. Front Yard – Twenty-five (25) feet from right-of-way.
- e. Rear Yard – Twenty-five (25) feet.
- f. Side Yard – Twenty (20) feet.

ARTICLE XV.

[R-2 – Two-Family Residential Zoning District]

Section 1501. Description and Purpose

This district is designed to protect and enhance those areas developed or likely to develop with single- or two-family dwellings and where a Community or Publicly Owned Treatment Works (POTW) Wastewater System as defined in Johnson County Code of Health Regulations Section 3.2.3.7), is proposed. This district is designed to promote a suitable environment for

homes and for activities connected with family life.

Section 1502. Permitted Uses

- a. Single-family dwellings
- b. Two-family dwellings

Section 1503. Conditional Uses

- a. [none-specified]

Section 1504. Building Requirements

- a. All buildings, structures and fixtures necessary to operate and maintain a building, shall have a maximum combined height as defined within the Air Installation Compatible Use Zone Report (Appendix 4).

Section 1505. Lot and Yard Requirements

The following minimum lot and yard requirements shall apply for all structures:

- g. Lot Area – Twenty-one thousand, five-hundred (21,500) square feet, exclusive of public right-of-way.
- h. Lot Width – One hundred (100) feet at right-of-way.
- i. Lot Depth – One hundred (100) feet.
- j. Front Yard – Twenty-five (25) feet from right-of-way.
- k. Rear Yard – Twenty-five (25) feet.
- l. Side Yard – Twenty (20) feet.

ARTICLE XVI.

[R-3 – Low Density Residential Zoning District]

Section 1601. Description and Purpose

This district is designed as a low-density multiple-family district providing densities of approximately 30 units per acre and where a Community or Publicly Owned Treatment Works (POTW) Wastewater System as defined in Johnson County Code of Health Regulations Section 3.2.3.7), is proposed. This district is designed to promote and encourage town or terrace house development, courts, and garden apartments. It is intended that this district be situated primarily on local thoroughfares, thereby encouraging a suitable environment for family life.

Section 1602. Permitted Uses

- a. Single-family dwellings
- b. Two-family dwellings
- c. Townhouses
- d. Multiple-family dwellings
- e. Community facilities

Section 1603. Conditional Uses

- a. [none-specified]

Section 1604. Building Requirements

- a. All buildings, structures and fixtures necessary to operate and maintain a building, shall have a maximum combined height as defined within the Air Installation Compatible Use Zone Report (Appendix 4).

Section 1605. Lot and Yard Requirements

The following minimum lot and yard requirements shall apply for all structures:

- a. Lot Area – one (1) acre
- b. Area per dwelling unit – three thousand (3,000) square feet
- c. Lot Width – One hundred (100) feet at right-of-way.
- d. Lot Depth – none specified
- e. Front Yard – Twenty-five (25) feet from right-of-way.
- f. Rear Yard – Twenty percent (20%) of lot depth. Need not be greater than twenty (20) feet.
- g. Side Yard – Ten (10) feet.

ARTICLE XVII.

[B-1 – Local Business and Residential Zoning District]

Section 1701. Description and Purpose

This is for Local Business and Residential District providing for the day-to-day consumer goods and services required to serve a small residential area. High traffic-generating and traffic-oriented uses are restricted because of their obvious undesirable influence on adjacent residential areas.

Section 1702. Permitted Uses

- a. Retail and service business

Section 1703. Conditional Uses

- a. [none-specified]

Section 1704. Building Requirements

- a. All buildings, structures and fixtures necessary to operate and maintain a building, shall have a maximum combined height as defined within the Air Installation Compatible Use Zone Report (Appendix 4).

Section 1705. Lot and Yard Requirements

- a. [none specified]

ARTICLE XVIII.

[B-2 – General Business Zoning District]

Section 1801. Description and Purpose

This district provides for business and commercial uses of a thoroughfare-oriented nature. In addition to these uses, other businesses that may benefit by drawing part of their clientele from passing traffic are permitted.

Section 1802. Permitted Uses

- a. Retail and service business
- b. General commercial operations

Section 1803. Conditional Uses

- a. [none-specified]

Section 1804. Building Requirements

- a. All buildings, structures and fixtures necessary to operate and maintain a building, shall have a maximum combined height as defined within the Air Installation Compatible Use Zone Report (Appendix 4).

Section 1805. Lot and Yard Requirements

- a. [none specified]

ARTICLE XIX.

[B-3 – General Services Zoning District]

Section 1901. Description and Purpose

This district provides for wholesaling, transport, food services, and similar activities essential to the commerce and health of the County. Office, retail, service, and other uses normally desiring to locate in this type of district are also permitted.

Section 1902. Permitted Uses

- a. Retail and service business
- b. Restaurants and taverns
- c. Offices
- d. Hotels and motels
- e. General commercial operations
- f. Wholesale trade
- g. Transport services

Section 1903. Conditional Uses

- a. [none-specified]

Section 1904. Building Requirements

- a. All buildings, structures and fixtures necessary to operate and maintain a building, shall have a maximum combined height as defined within the Air Installation Compatible Use Zone Report (Appendix 4).

Section 1905. Lot and Yard Requirements

- a. [none specified]

ARTICLE XX.

[I-1 Limited Industrial Zoning District]

Section 2001. Description and Purpose

This district is used primarily along major and secondary thoroughfares in areas containing undeveloped lots, vacant structures, or mixed land uses. The purpose of the district is to permit these vacant structures to be used for necessary economic activities, and to encourage the transition of the area to warehousing, wholesaling, and light industrial uses.

Section 2002. Permitted Uses

- a. Retail and service business
- b. Warehousing
- c. General commercial operations
- d. Light industrial and fabrication
- e. Wholesale trade
- f. Transport services

Section 2003. Conditional Uses

- a. [none-specified]

Section 2004. Building Requirements

- a. All buildings, structures and fixtures necessary to operate and maintain a building, shall have a maximum combined height as defined within the Air Installation Compatible Use Zone Report (Appendix 4).

Section 2005. Lot and Yard Requirements

- a. [none specified]

ARTICLE XXI.

[CZ-AICUZ – Clear Zone Overlay District]

Section 2101. Description and Purpose

Open space is the preferred land use in this zoning district. The CZ-AICUZ Zoning District overlays the underlying land use zoning district as established on the Official Zoning Map.

Section 2102. Regulation

Above-ground structures (obstructions) and community infrastructure, such as road and utilities, are severely restricted and are not permitted in this zoning district. Agricultural operations are limited to grazing and pasture fencing should be minimized.

ARTICLE XXII.

[APZ-1-AICUZ – APZ 1 Overlay District]

Section 2201. Description and Purpose

This zoning district allows low employment density land uses but residential and other attractions that would result in a high concentration of people are not acceptable in this area. Over time, non-conforming residential uses within this zoning district should be reduced or eliminated. The APZ-1-AICUZ Zoning District overlays the underlying land use zoning district as established on the Official Zoning Map.

Section 2202. Regulation

Low employment density land uses such as manufacturing, industrial facilities, transportation and agricultural operations are permitted. Residential development and other attractions that would result in a high concentration of people, including hospitals, nursing homes, child care centers and churches, are not permitted. Permitted development should not exceed 8,000 square foot building footprint per acre, or approximately 20 percent of an acre.

ARTICLE XXIII.

[APZ-2-AICUZ – APZ 2 Overlay District]

Section 2301. Description and Purpose

This zoning district allows low employment density land uses but residential and other attractions that would result in a high concentration of people are not acceptable in this area. Over time, non-conforming residential uses within this zoning district should be reduced or eliminated. The APZ-2-AICUZ Zoning District overlays the underlying land use zoning district as established on the Official Zoning Map.

Section 2302. Regulation

Low employment density land uses such as manufacturing, industrial facilities, transportation and agricultural operations are permitted. Residential development and other attractions that would result in a high concentration of people, including hospitals, nursing homes, child care

centers and churches, are not permitted. Permitted development should not exceed 8,000 square foot building footprint per acre, or approximately 20 percent of an acre.

SUBDIVISION REGULATIONS

ARTICLE XXIV [General Provisions]

SECTION 2401 AUTHORITY

This Ordinance is adopted pursuant to the authority granted by RSMo 41.655 and related planning and zoning authority granted to Missouri Counties by Missouri state statutes.

SECTION 2402 SEPARABILITY CLAUSE

Should any section or provision of these regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole or any part other than the part so declared to be unconstitutional or invalid.

SECTION 2403 JURISDICTION

These regulations shall apply to the subdividing of land within the unincorporated portion of the county three-thousand (3,000) feet outward of the Whiteman Air Force Base and within the perimeter of accident potential zones one and two of Johnson County, Missouri.

SECTION 2404 PURPOSE

The purpose of these regulations is to promote the public health, safety and general welfare of the County, and to provide for:

1. The proper location and width of streets, building lines, open spaces, safety and recreation.
2. The avoidance of congestion of population, including minimum width and area of lots.
3. The extent to which and the manner in which streets shall be graded and improved.
4. The extent to which water, wastewater and other utility services shall be provided to protect the public health and general welfare.
5. The manner in and form of making and filing of any subdivision plat.

ARTICLE XXV [Subdivision Procedure]

SECTION 2501 SUBDIVISION APPROVAL REQUIRED

Any person desiring to create and record a subdivision plat shall submit all necessary applications to the County. No final plat shall be filed in the office of the County Recorder of Deeds until the plat has been approved by the Planning and Zoning Commission and County Commission. No lots shall be sold until the plat has been recorded in the office of the County Recorder of Deeds.

SECTION 2502 PRELIMINARY PLAT

Application – The subdivider shall file with the Administrator a complete subdivision application form and preliminary plat data as required in these regulations.

Administrative Review – Upon receipt of the application and all other required data as provided in these regulations, the Administrator shall certify formal acceptance of the application by affixing the date of application acceptance thereon. The Administrator shall refer the preliminary plat and application to affected agencies and jurisdictions for the opportunity for their review and comment.

Airport Zoning Commission Review – Within thirty (30) days of formal acceptance of the application, the preliminary plat shall be considered by the Commission. In consideration of the application, the Commission shall consider the following:

- a. The conformance of the subdivision with the Comprehensive Plan.
- b. The availability of public services to accommodate the proposed subdivision.
- c. The public financial capability of supporting services for the proposed development.
- d. The effect on the public health, safety and general environment.

The Commission may approve, approve conditionally or disapprove the application. The action and reasons shall be stated in writing and provided to the applicant.

County Commission Review – When a preliminary plat has been approved or approved conditionally by the Airport Zoning Commission, the preliminary plat shall be forwarded to the County Commission for their information and record along with the written record of the Airport Zoning Commission consideration.

Approval Period – Failure to file a final plat application within one (1) year following Airport Zoning Commission approval shall cause all approval of said preliminary plat to be void, unless an extension of time is applied for by the applicant and granted by the Airport Zoning Commission. In the event of subsequent phases of a preliminary plat, such final plat applications of various phases within successive intervals of one (1) year may be considered for final plat approval without re-application for preliminary plat consideration.

SECTION 2503 FINAL PLAT

After approval or conditional approval of a preliminary plat, the applicant may proceed with final plat application.

Application – The subdivider shall file with the Administrator a complete subdivision application form and final plat data as required in these regulations.

Administrative Review – Upon receipt of the application and all other required data as provided in these regulations, the Administrator shall certify formal acceptance of the application by affixing the date of application acceptance thereon. The Administrator shall refer the final plat and application to affected agencies and jurisdictions for the opportunity for their review and comment.

Airport Zoning Commission Review – Within thirty (30) days of formal acceptance of the application, the final plat shall be considered by the Commission. In consideration of the application, the Commission shall consider the following:

- a. The conformance of the final plat with the approved preliminary plat
- b. The conformance of the final plat with these regulations and all other County technical specifications and design criteria.
- c. The conformance of the final plat with the standards and criteria of other public agencies requiring approval for any public or health elements of the subdivision.

The Commission may approve, approve conditionally or disapprove the application. The action and reasons shall be stated in writing and provided to the applicant.

County Commission Review – When a final plat has been approved or approved conditionally by the Airport Zoning Commission, the final plat shall be forwarded to the County Commission for their consideration along with the written record of the Airport Zoning Commission consideration. The County Commission may approve, approve conditionally or disapprove the application.

Final Plat Recording – Following County Commission approval of the final plat application, the final plat shall be filed with the County Recorder of Deeds within one (1) year, otherwise such approval by the County Commission and Airport Zoning Commission shall become void, unless an extension of time is applied for by the applicant and granted by Airport Zoning Commission

ARTICLE XXVI

[Design Standards and Technical Specifications]

SECTION 2601 MINIMUM DESIGN STANDARDS

All plats submitted pursuant to the provisions of these regulations, and all subdivision improvements and facilities constructed, shall comply with the minimum design standards set forth in these regulations or referenced herein.

SECTION 2602 TECHNICAL SPECIFICATIONS

Improvements in all new subdivisions shall comply with the Policies and Specifications for Roads & Bridges in the County Road System, Johnson County, Missouri.

SECTION 2603 EASEMENTS

Unobstructed utility easements shall be provided along front lot lines, rear lot lines and side lot lines where deemed necessary by the County. Total easement width shall not be less than twenty (20) feet. Other easements as necessary to support development and provision of public services to the subdivision may be required by the County.

ARTICLE XXVII
[Improvement Standards]

SECTION 2701 PUBLIC IMPROVEMENTS

Improvements in all new subdivisions shall comply with the Policies and Specifications for Roads & Bridges in the County Road System, Johnson County, Missouri.

SECTION 2702 GUARANTEE OF COMPLETION OF IMPROVEMENTS

Guarantee of completion of improvements shall be dictated in the Policies and Specifications for Road & Bridges of the County Road System, Johnson County, Missouri.

SECTION 2703 PUBLIC SERVICES

- a. **Public Water Supply** – Water for human consumption shall comply with Johnson County Community Health Services and Missouri Department of Natural Resources standards. Subdivisions may be served by public or private supply sources provided they comply with county and state requirements.
- b. **Wastewater Treatment** – All subdivisions shall be served either by properly managed and operated wastewater treatment system or approved on-site treatment systems and shall comply with Johnson County Community Health Services and Missouri Department of Natural Resources standards. Proposed methods of sanitary sewage treatment should be approved by the appropriate regulatory agencies prior to final plat approval.
- c. **Fire Protection** – All subdivisions shall provide adequate design width of development entrances to facilitate emergency vehicle access, and adequate fire suppression infrastructure related to the type of development proposed.

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