



Report to Planning & Zoning Commission

Clay County, Missouri

General Information

Site Location: approximately 18005 NE 79th Street
Sections 10 & 15 | Township 51 | Range 31

Site Size: 49.66 ± acres

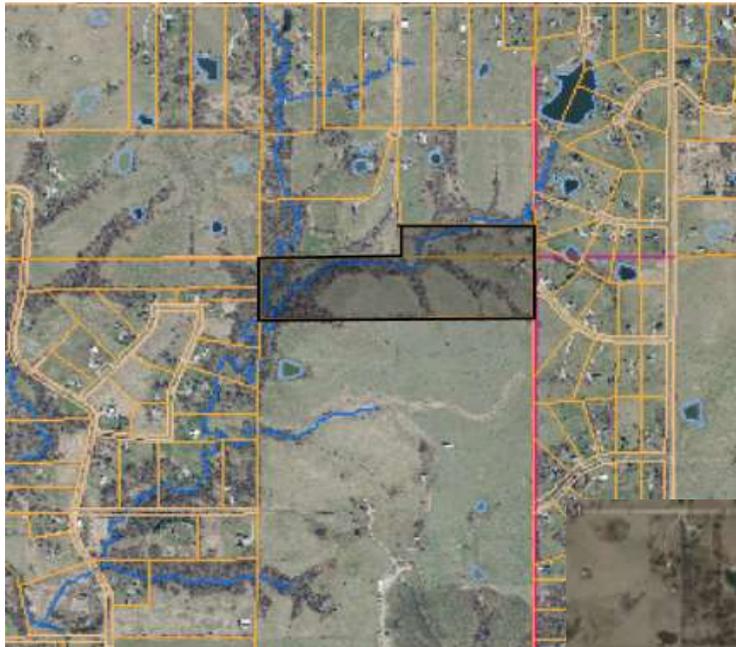
Existing Landuse & Zoning: Agricultural (AG)

Zoning/Platting History: None

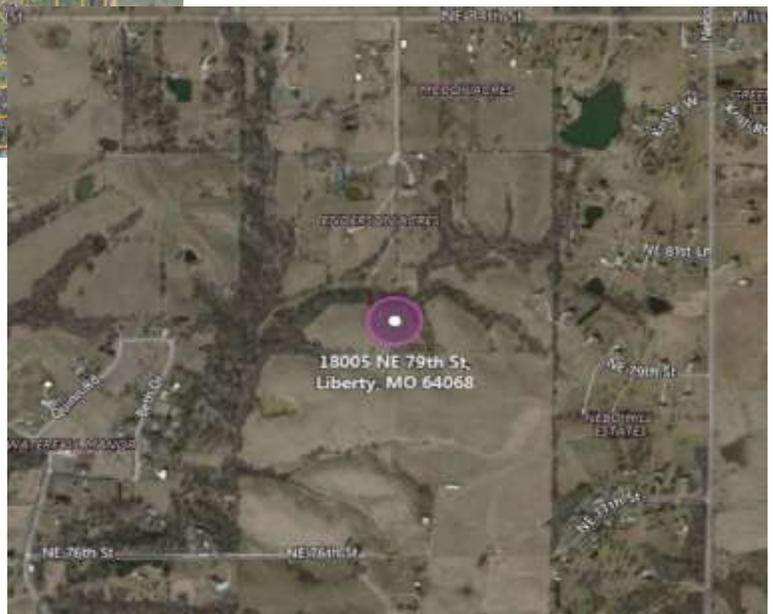
Surrounding Landuse & Zoning:

- North - Agricultural (AG) zoned land
- East - Nebo Hills Estates (R-1)
- South - Agricultural (AG) zoned land
- West - Agricultural (AG) zoned land, Waterfall Manor (R-1), City of Liberty

Current Conditions:



Courtesy of Clay County Assessor GIS/Mapping



Courtesy Microsoft® Bing



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Assessment

Randall and Susie Morris are requesting **Preliminary Plat** approval for Morris Farms located at approximately 18005 NE 79th Street.

Mr. and Mrs. Morris would like to split the 49.66± acres into two lots. Lot 2 would be approximately 29.55± acres and has a single family residence that is under construction and Lot 1 would be approximately 20.11± acres and currently has two farm buildings on the lot.

2008 Comprehensive Plan Considerations

The Comprehensive Plan (“Plan”) indicates that the subject property is located in the **RURAL LOW-DENSITY TIER** as well as the 1-Mile Urban Coordination Sub-Tier where advise-and-consent should be solicited from the designated city. The following tables illustrate two (2) of the most pertinent policies shaped by the Plan. The first (1st) table shows the landuse tiers and corresponding guidelines, and the second (2nd) explains the exceptions to the 20-acre minimum lot size policy directed by the Plan.

	Natural Resources Tier † (Yellow)	Rural Low-Density Tier † (Green)	Urban Services Tier † (Salmon)
Intent	Support continued agricultural uses in areas beyond near- and long-term urban service extensions.	To accommodate low density rural uses in areas located beyond anticipated city annexation areas.	To promote urban development compatible with the long range growth plans of adjoining cities.
Primary Uses	Agricultural-related uses, natural resources	Agricultural crop lands, livestock grazing, woodlands, grasslands, rural residences	Urban density residential and non-residential
Residential Uses	Rural Density: 1 dwelling unit per 20+ acres.	Rural Density; Rural Residential Density: low-density rural residential development: 1-dwelling unit per 20+ acres, or 1-farmstead dwelling on 5+ acres; Suburban Density: moderate-density development on municipal-level services: up to 4-units per acre.	Suburban Density: moderate-density development on municipal-level services: up to 4-units per acre. Urban Density: development on municipal-level services: greater than 4-units per acre. 20-acre minimum for agricultural and rural residential uses until such time as urban development occurs.
Non-Residential Uses	Farm service related, recreation	Farm service related, recreation	Recreation, limited commercial and industrial consistent with the long range growth plans of adjoining cities.
Minimum Sanitary Sewer Provisions	On-site septic, Community Wastewater Facility if indicated by LESA guidance.	On-site septic, Community Wastewater Facility if indicated by LESA guidance.	Municipal Wastewater Treatment Plant connection for Suburban Density or greater. ⁽¹⁾
Zoning Districts	Ag-related zoning districts; Open Space & Parks; non-agricultural zoning if on strict standards (not including Res. Low Density, such as on 3-acre lots).	Ag-related zoning districts; Open Space & Parks; non-agricultural zoning if on strict standards (not including Res. Low Density such as on 3-acre lots).	Open Space & Parks; and residential districts through general industrial (not including Res. Low Density such as on 3-acre lots). AG, Agricultural zoning is appropriate until full range of urban services available.

⁽¹⁾ On-site septic allowed for agricultural uses only.

† The **Planning Tier Map** notes a special designation of areas within one mile of each city: “1-Mile Urban Coordination Sub-Tier” where advise-and-consent should be solicited from the designated city. The applicant will be required to submit a letter from the city of jurisdiction concerning the proposal. The Clay County Planning and Zoning Commission may consider the letter as a non binding city recommendation for Clay County to consider in their deliberations.



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Table 4.3 – Option B for Land Use Tier Implementation: Transition Policy Procedures

	Natural Resources Tier* (Yellow)	Rural Low-Density Tier (Green)	Urban Services Tier (Salmon)
Intent	Exceptions from 20-acre minimum lot size in Ag-districts		Phasing in of new regulations
Density Exceptions for Legal Lots of Record as of the date of Revision of the Land Development Code	Subdivision of land to 5+acre lots, provided that 50% of the subdivided parcel is preserved, such as in an agriculture deed restriction.	Or, subdivision of land to 10+acre lots, provided that a "shadow plat" at urban density is approved.	Subdivision of land to 10+acre lots, provided that a "shadow plat" at urban density is approved, and—for plats within one mile of a city—the city's issues have been addressed.
Other Exceptions	Farmstead** dwellings allowed on 5+acre parcels.		City within one mile may review and recommend other exceptions granted in other tiers, provided a "shadow plat" at urban density is approved.

* The Natural Resources Tier includes an "Urban Services Transition Sub-Tier" area along M-92 and C-Highways that extends where urban development is influenced by the urban highway; yet remains within the Natural Resources Tier designation for purposes of enhanced environmental review and scrutiny.
 ** A "Farmstead Dwelling" is the original residence built and initially occupied by a farm family, regardless of whether the current household occupant is associated with farming.

The City of Liberty responded in an email on April 26, 2016 that they have no comments on Morris Farms. The subject request complies with the 2008 Comprehensive Plan in part because each of the lots are larger than 20 acres and zoned agricultural as identified in the first table.

Character of the General Neighborhood

Agriculturally (AG) zoned property is located to the north, south, and west of the subject property. Nebo Hills Estates (R-1) is to the east and Waterfall Manor (R-1) and the City of Liberty is to the west.

LDC Considerations

The review procedures and submittal content for Morris Farms must follow the Minor Subdivision requirements in Section 151-3.5 of the Clay County 2011 Land Development Code ("LDC"). Based on all the materials and evidence presented, the subject request appears to substantially comply with the LDC.

Adjacent property owners within the statutory law mandated 1,000 foot distance were notified by means of a letter sent April 15, 2016.

Outside Agency Review

The Clay County Highway Department has noted the following:

The existing access is acceptable to be used as a shared driveway at the end of NE 79th Street.

The Clay County Health Department has given preliminary and final approval for Morris Farms.

Public Water Supply District #5 stated in a letter dated April 5th, 2016 they will be able to serve both Lot 1 and Lot 2 with potable water.

The Fishing River Fire District serves this property.



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Findings

Road Impact Fees (*RIF*) are required for the one (1) additional lot. The estimated total amount of RIF is \$1031.25 and is subject to change at the time of payment based on the market price of material.

The 60' Roadway Easement as noted on the recorded Nebo Hills Estates Phase II-B Final Plat (BK 1953 PG 325) will serve as the shared access point and also the interior ingress and egress as needed for Lots 1 and 2. A shared driveway agreement will need to be in place at the time of Final Plat recording.

There is an unnamed tributary that runs through portions of Lot 1 and Lot 2 and is considered an active stream channel. Therefore, the required stream setbacks within Section 151-11.2 (C) of the LDC must be met. The first 50 feet must be designated as "Zone 1" and the remaining 25 feet noted as "Zone 2" on the plat, and a note stating: "*There shall be no clearing, grading, construction or disturbance of vegetation in the stream setback easement except as permitted by Clay County*". Any activity taking place within the Stream Setback zones should have approval of the Planning & Zoning Department.

Recommendations

Staff recommends the **Preliminary Plat** of Morris Farms be **Approved**, with the following conditions as shown in Exhibit A:

Exhibit A

1. Road Impact Fees (RIF) agreement recorded and fees paid according to agreement at same time as the recording of the Final Plat.
2. A shared driveway agreement must be in place at the time of Final Plat recording.
3. The following corrections to the recording copies of the Final Plat:
 - a. CHANGE IN NOTES #1: address from 18004 to 18005
 - b. CHANGE ABOVE CHAIRMAN, PLANNING AND ZONING: Lasack Valley to Morris Farms
 - c. CHANGE ABOVE SUSIE D MORRIS: suscibed to subscribed
 - d. CHANGE IN NOTES #7: Community Panel #290086 and Firm Map Panel #29047C0255E - with the small a changed to a capital A in AUGUST
 - e. ADD: 60' roadway easement (BK 1953 PG 325)



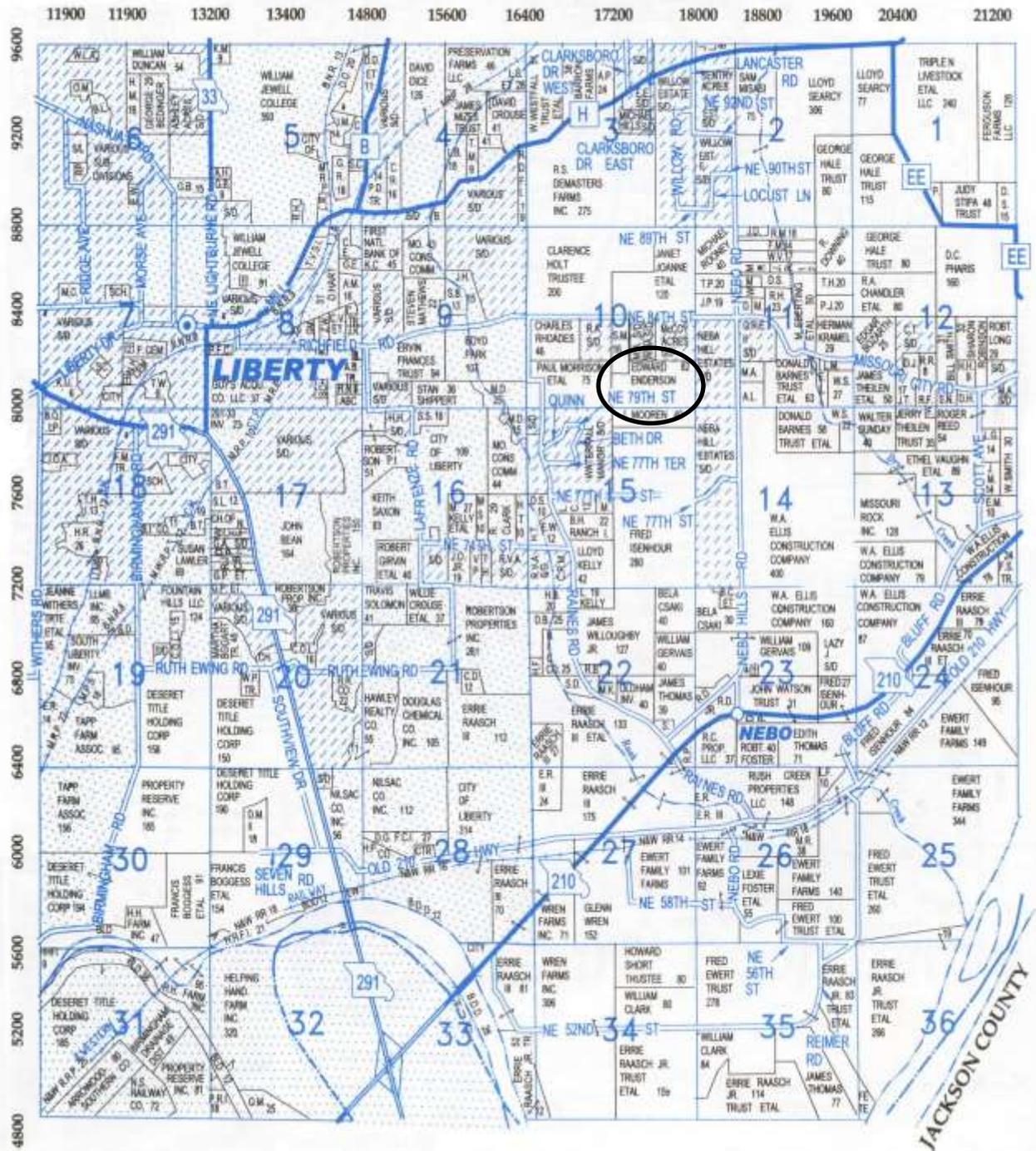
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Attachments

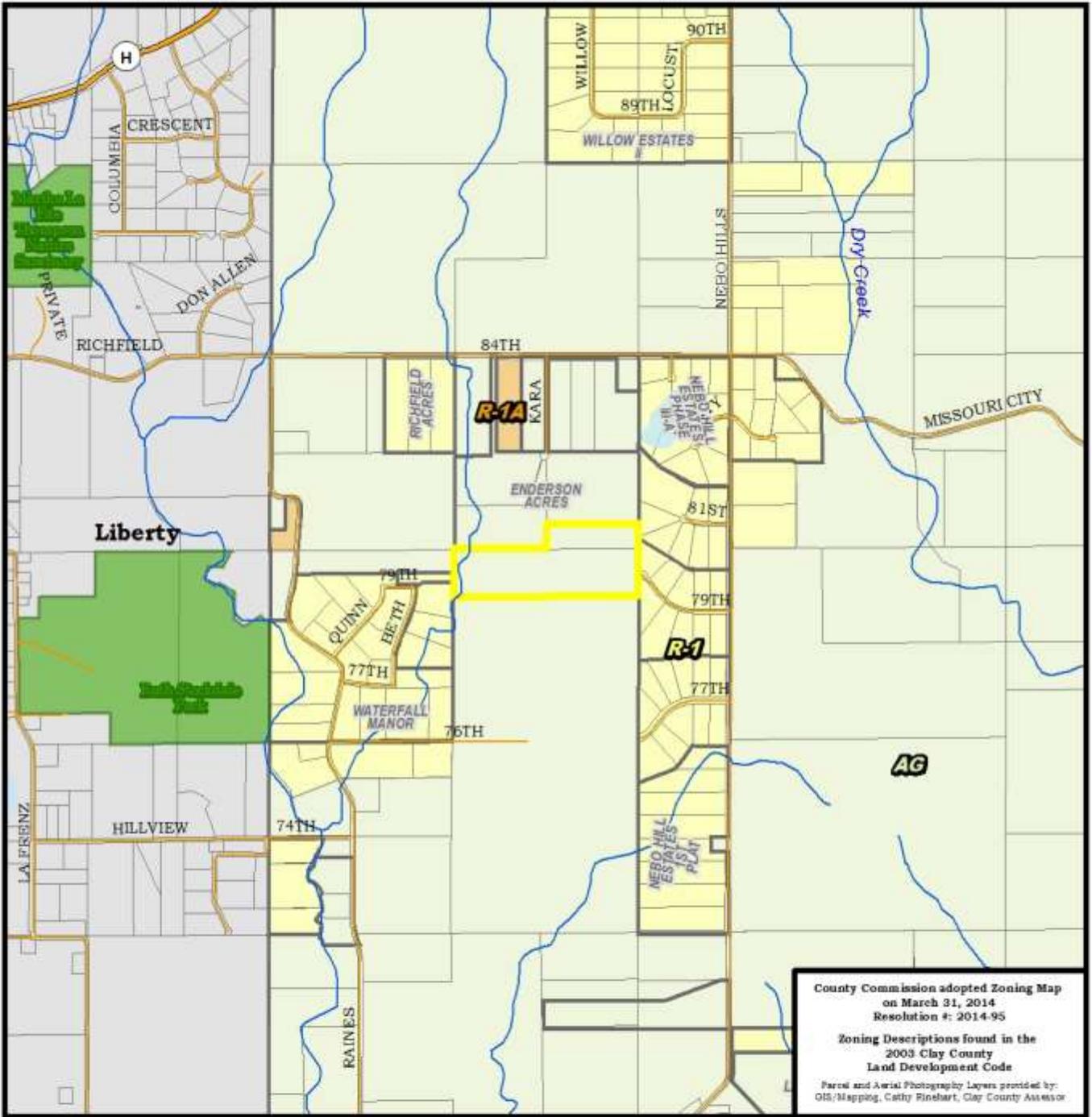
May 16-111P – Morris Farms Attachment A – Vicinity Map

TOWNSHIP 51N • RANGE 31W



May 16-111P – Morris Farms

Attachment B - Existing Conditions Map



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Planning & Zoning Department

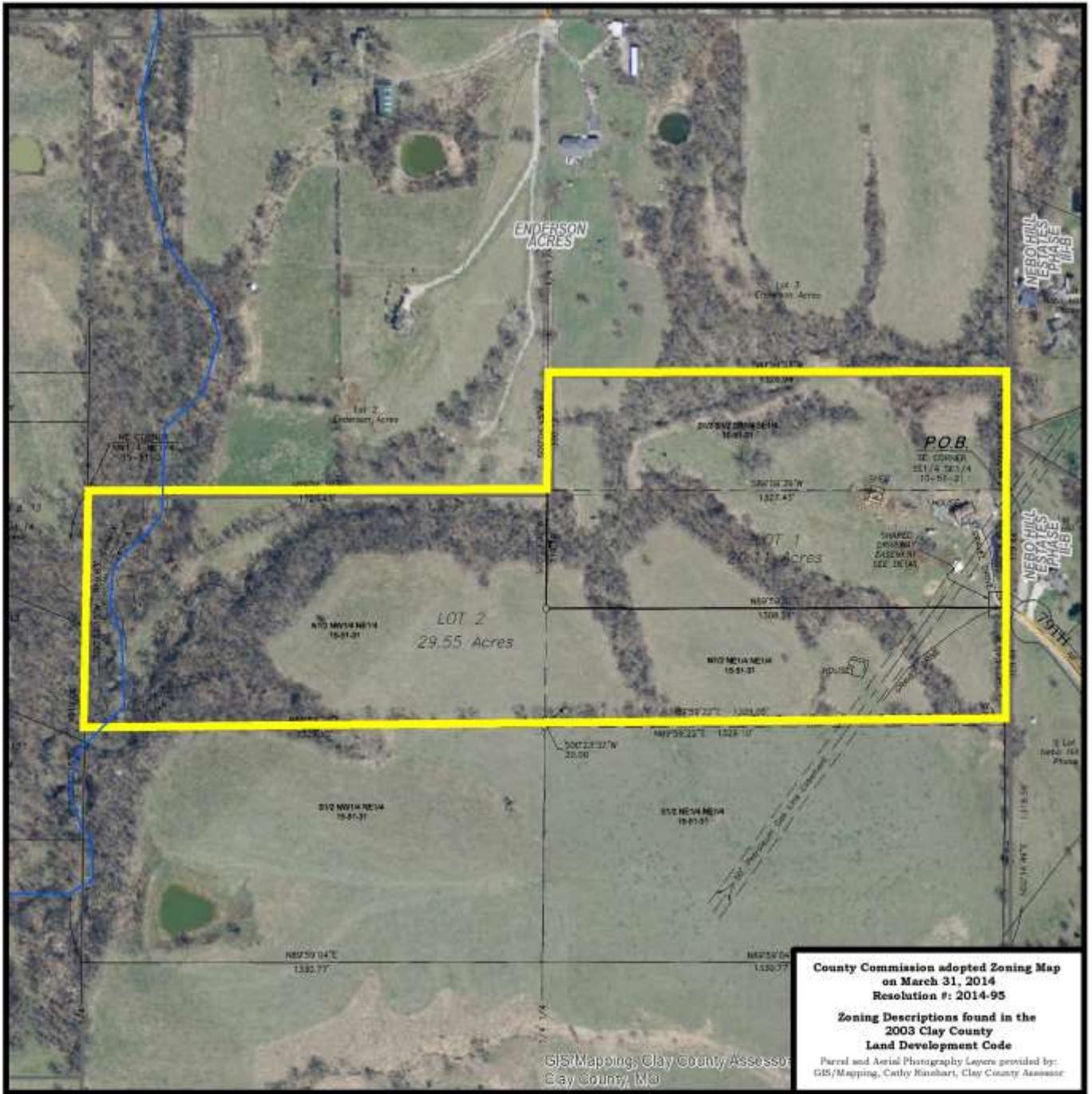
1 inch = 2,000 feet
1 inch = 0.38 miles

LEGEND

Property Line	Roads	Subdivisions	Zoning Districts	C-1
Streams (EPA)	Interstates	2016 City Limits	R-1	C-2
Railroads	State Highways	Parks	R-1A/R-5	C-3
Highway Ramps	Local Roads	County Boundaries	R-1B/RU	I-1
			R-2	OP

May 16-111P – Morris Farms

Attachment C - Site Plan Map



Map Document: (G:\GIS\Project_Files\Vacinity Map - 8 x 11 P.mxd)
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Planning & Zoning Department



1 inch = 400 feet
1 inch = 0.08 miles

LEGEND

Property Line	Roads	Subdivisions
Streams (EPA)	Interstates	2016 City Limits
Railroads	State Highways	Parks
	Local Roads	County Boundaries
	Highway Ramps	