ARTICLE 400: PLATS AND SUBDIVISIONS

SECTION 401 – GENERAL PROVISIONS

From and after the effective date of these regulations, and any amendments thereto, any person who subdivides any land located within Camden County, as the term is defined in these regulations, and to which these regulations apply, shall cause a plat or administrative survey to be prepared of such subdivision in accordance with these regulations and the laws of the State of Missouri, and shall also cause such plat or administrative survey to be recorded in the office of the Camden County Recorder of Deeds.

1. No Preliminary Plat shall be reviewed or approved by the Planning Administrator or Planning Commission unless such plat is consistent with the Master Plan and complies with the Unified Land-Use Code, as well as any other rules and regulations adopted by the County, which may apply to the land subdivided or the use thereof.

2. It shall be unlawful for any person to file or record any plat, survey, or other instrument of sale, or to transfer, or convey, with the Recorder of Deeds of Camden County, a subdivision of land subject to these regulations, unless such land has been subdivided in compliance with these regulations and Missouri law and all entities with financial interest have signed off on the subdivision and provided a deed of release.

3. It shall be unlawful for any person to sell or transfer any land which would affect a subdivision of land subject to these regulations without first subdividing such land in compliance with the provisions of these regulations.

4. No Construction Permit or other permit covered by this Code shall be issued, nor shall any person construct or install any building on land to which these regulations apply, unless such land has been first subdivided in accordance with these regulations, subject to the following exceptions:

    a. A construction permit may be issued without approval and recordation of a Final Plat in District A-1: Agricultural, and District A-R: Agricultural Residential, for the construction of one (1) single family residential structure, or accessory use structures subject to the following conditions:

        i. Subject to density requirements of A-1 and A-R zoning districts. Not to exceed two (2) dwelling units per lot, and a maximum of one (1) single family home per five (5) acres in A-1. Not to exceed one (1) dwelling unit per lot and a minimum lot size of three (3) acres, or not to exceed two (2) dwelling units per lot, and a maximum of one (1) single family home per five (5) acres in A-R;

ii. The proposed construction is not being instigated for the purpose of resale and/or prior sale of tract has not occurred since June 1, 2004, the adoption date of this Code;

iii. Subject to the provisions for conveyance of lands, surveyed in accordance with Missouri State Standards for Property Boundary Surveys, including recording of said survey or plat in accordance with RSMO Section 137.185;

iv. The property has been transferred in accordance with provisions of Section 402 below: Exempt Survey – where transfer of land has occurred between direct family members.

b. No Zoning Permit for Construction or other permit covered by this Code shall be issued, nor shall any person construct or install any building or structure on land designated as non-developable or not for development on a recorded or unrecorded survey signed and approved as such by the Planning Administrator, unless re-subdivided or further subdivided in accordance with these regulations.

5. No land shall be subdivided in any manner except by a land survey prepared by a licensed or registered land surveyor licensed by the State of Missouri. No survey of land of any kind prepared by or under the direction of a licensed or registered land surveyor shall be recorded in the office of the Camden County Recorder of Deeds unless reviewed and signed by the Planning Administrator. The Camden County Recorder of Deeds shall not file or record a subdivision plat of any land located within the County to which these regulations shall apply unless the plat has been approved and signed by the proper officials in accordance with these regulations. RSMO Section 64.590, Board For Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects.

6. It shall be unlawful to establish or enforce any private subdivision restriction or covenant which conflicts with any mandatory requirement or impedes implementation or enforcement of any minimum requirement set forth in these regulations.

7. No building or structure shall be constructed, erected, or installed within the designated right-of-way for any platted roadway if the boundaries of such right-of-way are described or defined by boundary survey or other lawful metes and bounds descriptions. Such boundary survey or metes and bounds description must have been recorded or officially filed with the Planning Administrator and designated by the platted roadway plan contained within the Master Plan in effect on the day these regulations are enacted or thereafter. All applicable building setback requirements (see Article 900) shall apply from such designated right-of-way boundary lines.

SECTION 402 – CLASSIFICATIONS

From and after the effective date of these regulations, all subdivisions and/or developments subject to these regulations shall be surveyed or platted in accordance with the following classifications:

1. **Exempt Survey:**

   Certain subdivision actions are considered an exempt action and, other than a review by the Planning Administrator and a licensed surveyor to establish exempt status, no further reviews will be conducted, and the Planning Administrator is authorized to administratively approve and sign the survey for recording. Being established as an exempt survey does not waive any of the remaining provisions and requirements of the Unified Land-Use Code, except as specifically identified in this Code. To record an exempt survey in the office of the Camden County Recorder of Deeds, the developer must show a copy of the written exemption. The following are considered exempt:

   a. The transfer of land that is zoned agricultural to an immediate family member consisting of a transfer from or to a son, daughter, sister, brother, father or mother, grandfather or grandmother;

   b. The adjustment of property lines between two or more properties that are not part of an existing recorded subdivision, which do not create any additional parcels, and will not reduce an existing property below the minimum property size for the zoning district in which it is located;

   c. The modification by survey of an easement or setback line, so long as the change is in compliance with these regulations;

   d. Any survey involving one or more tracts, all of which are greater than five (5) acres in size;

   e. Any survey involving one or more tracts that are being combined to create a single lot. This also includes combining existing non-conforming lots into a single lot, without the requirement that the new lot actually be conforming (the new lot being less non-conforming than any of the parcels being combined). All other rules of the zoning district in which the parcel is located are still in force, and lots may not be combined across subdivision boundary lines.

2. **Administrative Plat:**

   Any survey consisting of one or more lots, any and all of which are less than twenty (20) acres in size, but equal or greater than ten (10) acres in size, and all of which have a frontage upon, and direct access to, an existing public road, or no more than four (4) such lots that have a common

private drive with direct access to a public road. Plat preparation is subject to Appendix A: Plat Standards.

3. **Administrative Survey:**

A recordable survey prepared for the purpose of land transfer of ownership, or a recording of a plat of survey on an existing, previously established ownership parcel, consisting of one tract of land, which has a frontage upon, and direct access to, an existing public road, or an ingress and/or egress easement, and is situated on land where no Final Plat of Subdivision has previously been recorded. This is subject to deed parcel creation prior to adoption of the Unified Land-Use Code, June 1, 2004.

4. **Lot Split Survey:**

The Planning Administrator is authorized to approve a plat when the Planning Administrator determines that the proposed subdivision and/or development meets all of the following criteria:

a. The proposed subdivision of land and/or development is in conjunction with a Planned Unit Development (PUD), or Preliminary Plat, in which cluster housing or townhome units are planned for individual fee ownership;

b. The parent parcel has been platted in accordance with the Unified Land-Use Regulations, providing all necessary subdivision design and improvements required by the Code;

c. The location and density of the units is in compliance with the approved density for the underlying zoning for the approved Area Plan, and the location of individual units have been surveyed for location of party walls and unit limits as evidenced by submission of a Certificate of Survey prepared by a registered professional surveyor;

d. The proposed subdivision and/or development is not in conflict with adopted plans or other code provisions of Camden County. The plat may not be approved until all required dedications of public right-or-way and easements have been dedicated. This may include dedications included on the plat for approval if any are made and accepted by the Camden County Commission.

5. **Condominium Plat:**

The Planning Administrator is authorized to approve a condominium plat when the Planning Administrator determines that the plat complies with all of the following requirements:

a. The plat must comply with the approved Preliminary Plat that was approved for the overall development, including any limits on the maximum number of condominium units allowed;

b. The plat must conform with the requirements of RSMO Section 448.2-109;

c. The plat must show the footprint of the building and the building identification system;

d. The plat must include a permanent benchmark and reference to the survey monuments by metes and bounds description;

e. The plat must include the owner's signature;

f. The plat must include the name, address, and phone numbers of the owners and company preparing the condominium plat;

g. The plat must include the surveyor(s)' seal, signature, and certification;

h. The plat must include the exact dimensions of the condominium units;

i. The plat must show the location of the common elements and the limited common elements;

j. The plat submission must include a chronological chart referencing the building number, plat book and page, and the date of any previously recorded condominium plat, where there are multiple condominium plats;

k. The plat submission must include the declarations of/for the condominium or amendment to the declarations;

l. The plat may not be approved until all required dedications of public right-of-way and easements have been dedicated. This may include dedications included on the plat for approval if any are made and accepted by the Camden County Commission.

6. **Minor Plat:**

The Planning Administrator may approve any subdivision plat consisting of ten (10) or fewer lots, having lot sizes with a minimum of 5,000 square feet and all lots meeting Camden County Wastewater requirements. Lot sizes must be compatible with the zoning district in which the property is located (any subdivision containing a lot under .92 acres must be served by an MDNR approved centralized wastewater system or a remote On-Site Wastewater Treatment System approved by the Camden County Wastewater Department), where each lot either has direct access to and frontage upon an existing public road, or has a common private driveway situated on and created for the exclusive use of no more than four (4) lots providing ingress and egress to a public road. All lots must be A-1, A-R, R-1, or R-2.

7. **Multiple Use Plat:**

Any subdivision and/or development not qualifying as a Major Plat, or any one or more lots, parcels, or tracts of land not otherwise platted, and not wholly contained within a Planned Unit

Development (PUD) as defined by the Unified Land-Use Code of Camden County (See Article 200, Article 800), which contain or are intended to contain two (2) or more buildings, each designed to connect or relate to one (1) or more residential dwelling units, to one (1) or more buildings having more than one (1) commercial or industrial business use, or two (2) or more buildings each designed or intended to contain one (1) commercial or industrial business use. All requirements of the underlying zoning must be met.

8. **Major Plat:**

Any subdivision and/or development that does not qualify as an Administrative Survey, a Minor Plat, or a Multiple Use Plat, as described above, must be submitted as a Major Plat.

9. **Preliminary Plat:**

Approved preliminary plats will be valid for development for a period of three (3) years. Preliminary plats that are not recorded within three (3) years of approval will be required to go back to the Planning Commission for re-evaluation for compliance with current Code compliance. Developments will be required to bring their plat into compliance with the current rules and standards for the Code at the time of the review.

SECTION 403 – ADMINISTRATIVE SURVEY AND MINOR PLAT REVIEW PROCESS

1. **Administrative Survey and Minor Plats:**

   a. Pre-Application Conference - Before an application for Administrative Survey or Minor Plat will be accepted, a pre-application conference is required. Pre-application conferences are to be arranged by the applicant, who must bring at a minimum, a sketch plan (See Appendix A) as a basis for discussion. The purpose of the conference is to ensure that the applicant understands the requirements of the Unified Land-Use Code as they affect the subdivision and to explain the review process. Issues to be discussed include, but are not limited to: platting requirements, zoning district requirements, and other topics as applicable. The pre-application conference is required, but it is not a regulatory proceeding and is intended as a service to the developer. The Planning Administrator may waive the requirement for a pre-application conference.

   b. An Administrative Survey may be submitted for the Planning Administrator's review and approval at any time during normal business hours. Any Administrative Survey meeting the requirements of these regulations shall be summarily signed and approved by the Planning Administrator within ten (10) business days of submission to the Planning Administrator

provided all required right-of-way and easements have been dedicated to public use and/or otherwise conveyed as required by these regulations.

c. The application for a Minor Plat can be submitted to the Planning Administrator at any time during regular business hours. Once the application and required submittals have been verified as being complete, it will be accepted and dated. At a minimum, the application will include a completed application form, sketch plan that meets minimum standards (See Appendix A), and a warranty deed for the subject property showing proof of ownership.

   i. The Planning Administrator shall review the submitted sketch plan and issue a sketch plan review letter detailing all requirements that must be met for acceptance and recording of the final Minor Plat. The proposed Minor Plat shall be reviewed in terms of whether it does or will meet zoning and other land use regulations, the availability of utilities and adequacy of water supplies, waste disposal systems, as well as impact on road use and other surrounding land uses.

   ii. Based on the sketch plan letter, the developer may submit the final plat of the Minor Subdivision and/or development for review and approval by the Planning Administrator. At this time, any administrative fees shall be collected. The Planning Administrator shall not approve a plat until the Owner's Certificate(s), Consent of Mortgagee Certificate(s), and Homeowner/Property Owner Association Certificate(s) on the plat are completed where applicable. Once the plat has been signed, it will be recorded by the owner or the owner's assignee in the office of the Camden County Recorder of Deeds. No Minor Plat shall be recorded later than ninety (90) days from the Planning Administrator's signature date.

d. The Planning Administrator, in the exercise of his or her discretion, may require what would otherwise qualify as a Minor Subdivision and/or development, or an Administrative Survey or Plat, to be platted as a Major Plat, if and only if the Planning Administrator finds that roads or utilities surrounding the proposed subdivision, development, or Administrative Survey or Plat are inadequate to serve the proposed subdivision and/or the surrounding area and that the requirements for approval of a Major Subdivision Plat will facilitate adequate road, water, sewer, or other utility service.

2. Major Plat Preliminary Review Process:

a. Prior to submitting a Preliminary Plat, Multiple-Use Plat, or Major Plat, the developer is required to have a pre-application conference. Pre-application conferences are to be arranged by the applicant, who must bring at a minimum, a sketch plan (See Appendix A) as a basis for discussion. The purpose of the conference is to ensure that the applicant understands the requirements of the Unified Land-Use Code as they affect the subdivision and to explain the review process. Issues to be discussed include, but are not limited to: platting requirements, zoning district requirements, and other topics as applicable. The pre-application conference

is required, but it is not a regulatory proceeding and is intended as a service to the developer. The Planning Administrator may waive the requirement for a pre-application conference.

b. A Major Subdivision or Multiple-Use Preliminary Plat may be submitted to the Planning Administrator during normal business hours a minimum of thirty (30) days prior to the hearing where the Preliminary Plat will be reviewed by the Planning Commission. The minimum submittals are a completed application, three (3) copies of a fully prepared Preliminary Plat (See Appendix A), and the warranty deed for the subject property showing proof of ownership.

c. The Planning Commission will review the Preliminary Plat at an open hearing. The Planning Administrator shall forward the Preliminary Plat and all supporting documentation to the Planning Commission for its review together with a report or statement concerning whether the Preliminary Plat, in the Planning Administrator's opinion, is in compliance with these regulations, as well as any fact relevant thereto. Based on the review by the Planning Administrator, review by the Planning Commission, and all information acquired from the hearing, the Planning Commission may approve, conditionally approve, or disapprove the Preliminary Plat. A Preliminary Plat may be disapproved if it is inconsistent with the Master Plan or is not in compliance with the Unified Land-Use Code or other regulations established by Camden County. The applicant may ask for a continuance to provide an opportunity to make such changes as will bring the plat into conceptual compliance. In the event of such a continuance, the Preliminary Plat will be returned for additional review to the Planning Commission at a date established by the Planning Commission.

d. Based on the Planning Commission approval of the Preliminary Plat, the developer must prepare all required improvement plans (storm water, road, water, sewer, etc.) for submittal and review by the Planning Administrator. All improvement plans must be prepared by, signed, and sealed by an engineer that is registered and certified by the State of Missouri.

e. Based on the improvement plans and the approved Preliminary Plat, the developer may submit the Final Plat for review and approval by the Planning Administrator (See Appendix A). The Final Plat must comply with all provisions of the Unified Land-Use Code of Camden County with specific attention to Appendix A: Plat Standards. No Final Plat shall be approved later than the third (3^{rd}) anniversary of the date of the Planning Commission's approval of the Preliminary Plat unless the developer has constructed or installed all improvements required by these regulations.

f. No Final Plat shall be approved by the Planning Administrator unless all improvements specified in the plat, including but not limited to streets, roads, sewers, water lines, fire hydrants, utilities, and other improvements designed to serve the platted lots have been constructed, installed, and completed, and adequate public infrastructure such as roads, highways, sewers, water supply, and utilities are, or will be, available to serve the additional public infrastructure requirements of and caused by the subdivision and/or development.

Prior to recording the Final Plat, the required public improvements must either be built and approved or financially secured.

i. Public improvements will be deemed approved upon submittal by the project engineer of an affidavit certifying that the required public improvements have been installed in full compliance with the approved plans. For developments that are phased, this will apply to all improvements included in the schedule of improvements for that phase.

ii. It is possible for the developer to financially secure the required public improvements with the County prior to their being built in order to speed up the recording of the Final Plat. The project engineer is required to submit a signed and sealed estimate of the total cost of the remaining improvements broken down into a reasonable summary. A total of one and one-half (1½) times the total value of the remaining improvements must be financially secured in an acceptable manner to the County. Such financial security is normally arranged to cover one (1) or two (2) years and if the improvements are not completed in the established time frame, the County shall have the right to use the secured funds to complete the required facilities.

iii. Escrowed funds will be returned based on submitted proof that improvements have been completed as required. Only when all of the required public improvements are completed and certified shall the remaining funds be returned.

iv. The County may charge up to one percent (1%) of the total amount established as an escrow as an administrative fee.

SECTION 404 – REPLATS AND AMENDED PLATS

1. A replat (or re-subdivision) is any change or modification of a recorded subdivision that involves one of the following circumstances:

   a. The change or creation of any road right-of-way;

   b. Any change of the outer boundary of a recorded subdivision caused by either removal or addition of property to the subdivision, done in compliance with the laws of the State of Missouri and the Camden County Unified Land-Use Code;

   c. An increase in the number of units, floors, or buildings in a condominium complex/plat.

2. The owner of any land that has been subdivided into a recorded plat may replat such land only if the existing plat is first vacated in its entirety.

3. A replat must be submitted to the County Commission for review and approval using the same procedure as a Preliminary Plat (Section 401(2)). The County Commission will only approve a replat if it will not adversely affect the character of the neighborhood, traffic conditions, circulation, the proper location, alignment, and improvement of streets and roads within and adjacent to the subdivision, property values within and around the subdivision, and public utility facilities and services.

4. An amended plat is reviewed and approved by the Planning Administrator using the same procedure as a Minor Plat (Section 401(1)). In no circumstance will a lot be established through an amended plat that is unbuildable due to the size or shape of the lot.

SECTION 405 – PLAT VACATION AND RESTRICTIONS

1. Recorded subdivision plats may be vacated only under the following circumstances and conditions:

   a. Pursuant to the Statutes of the State of Missouri, only the Camden County Commission may authorize the vacation of any road of record. Regardless of whether a road has ever been constructed, a road created by the recording of a subdivision is by definition a road of record.

   b. A recorded subdivision may be vacated in its entirety without approval of the Planning Commission, so long as all real estate contained within the subdivision to be vacated is owned by the party or parties seeking vacation and no buildings, structures, utilities, or other improvements have been constructed, erected, or otherwise installed or placed upon property contained within the subdivision to be vacated. Plats vacated in this manner require the approval of the Planning Administrator on the Plat Vacation prior to recording.

   c. Except as otherwise provided in subsections (a & b) above, no subdivision plat may be vacated unless the owner of the land for which the vacation is sought petitions the Camden County Commission for the vacation in writing, and the Camden County Commission finds after a public hearing that the vacation will not adversely affect the character of the neighborhood, traffic conditions, circulation, the proper location, alignment, and improvement of streets and roads within and adjacent to the subdivision, property values within and around the subdivision, and public utility facilities and services.

SECTION 406 – PLAT APPROVAL NOT ACCEPTANCE OF DEDICATION

Approval of a plat containing dedication of public structures does not constitute acceptance by Camden County of any street, sidewalk, park, or other public facility shown on the plat for the purpose of maintenance. However, Camden County may accept any such offer of dedication by resolution or by exercising control over and maintaining such facilities.

SECTION 908 – R-1: LOW DENSITY RESIDENTIAL

1. Purpose of District

a. This zoning district is intended for low density residential development, primarily single family dwellings.

b. Provision is also made for such educational, recreational, and religious uses as are customarily associated with residential uses to provide the basic elements of a residential area.

2. Principal Permitted Uses

a. Single family dwellings to include site built homes, modular homes, and Class A and Class B manufactured homes to include single and double wide dwellings. Class B manufactured homes must be 10 years old or newer unless the home has been remodeled and certified to meet code by the jurisdictional building code authority, if one exists, or by a Professional Engineer licensed to do business in the state of Missouri;

b. Duplex with a party wall constructed on a Side Lot Line and with no more than one single-family residence per lot. Each side of the duplex must be on its own lot having a minimum square footage of 5000 square feet. Each residential unit therein may be sold separately with a party wall agreement. The minimum side setback on one side of the lot is reduced to zero (0) feet in this use case. This use must meet all potable and wastewater requirements outlined in this section.

c. Churches and other places of worship not expected to exceed 3,000 gallons of wastewater per day, excluding overnight shelters and temporary revivals;

d. Educational facilities of general instruction including cultural, administrative, and/or public buildings, not expected to exceed 3,000 gallons of wastewater per day;

e. Residential group homes in accordance with state and federal law;

f. A single unit garage or workshop under one roof.

3. **Accessory Uses**

a. Accessory uses, buildings, and structures customarily incidental to the aforesaid permitted uses;

i. Storage buildings having 120 square feet or less, measured from the outside of the structure, and which are not permanently anchored in any fashion, are not required to meet setbacks, but must be completely on the owner's lot. No utilities of any kind are allowed in these structures. These structures still require a permit. These structures must meet setbacks in the R-3 and R-4 zoning districts.

b. Neighborhood parks, swimming pools, playgrounds, recreational and community center buildings and grounds, public golf courses, tennis courts, and similar public recreational uses;

c. Garages and garage workshops for private use;

d. Gazebos and similar out buildings;

e. Noncommercial studios and workshops;

f. Noncommercial nurseries, greenhouses, and gardens;

g. Offices or studios within an enclosed building and used by an occupant of a residence located on the same lot as such residence to carry on administrative or artistic activities of a commercial nature, so long as such activities comply with State of Missouri standards for the definition of a home occupation/residential based business;

h. Yard sales or garage sales, so long as such sales are not conducted on the same lot for more than seven (7) days (whether consecutive or not) during a ninety (90) day period;

i. Patios, decks, and similar structures;

j. The placement of an above garage or attached apartment, or "mother-in-laws" apartment. The maximum square footage of the apartment shall be 900 square feet;

k. Well house or other utility facility;

l. Home Occupations/Residential Based Businesses:

i. A Residential Based Business may involve land uses that normally are not allowed in an R-1 zoning district as long as they are scaled to a less intensive level and/or are conditionally approved so as to be compatible to the surrounding area. Nothing in this Section shall be construed to be more restrictive than 71.990 of the Missouri Revised Statutes (RSMO) of 2022.

ii. A Residential Based Business must meet the following criteria:

a. No more than one (1) person other than a member of the immediate family occupying the dwelling shall be employed;

b. Not more than 30% of the gross square footage of the dwelling can be devoted to the Residential Based Business either within the dwelling or in an accessory building;

c. In no way shall the premises (property or structures) be altered, or the business allowed to operate, in a manner that would cause the property or structures to differ from its normal residential character;

d. No truck traffic shall be generated by the business that would be greater in kind or intensity from a normal residential land use;

e. No outdoor display of goods or outdoor storage of materials used in the Residential Based Business shall be permitted;

f. Only one (1) nameplate not to exceed an area of four (4) square feet may be displayed. It shall not be illuminated or otherwise physically appear as a nuisance;

g. The use shall not generate noise, vibration, glare, fumes, odor, or electrical interference beyond what normally occurs in a residential area.

iii. The business must operate from a residential structure or a residential accessory structure. Construction of a structure solely for the Residential Based Business is not allowed.

4. Conditional Use Permits

a. Two family dwelling unit (duplex), constructed on a single lot;

b. Cemeteries, not including mausoleums and crematories, provided that the new cemetery contains an area not more than one (1) acre (see RSMO 214.090);

c. Churches and other places of worship expected to exceed 3,000 gallons of wastewater per day, including overnight shelters at a church or place of worship, and excluding temporary outdoor revivals;

d. Educational facilities of general instruction including cultural, administrative, and/or public buildings, expected to exceed 3,000 gallons of wastewater per day;

e. Fraternal or private clubs (including country clubs);

f. Bed and Breakfast.

g. The use of a recreational vehicle (RV) as a residence either as a stand alone structure or in combination with a permanent home. All requirements for wastewater treatment (septic system), potable water, and setbacks must be met. This conditional use may not be applied for in the R-2 or R-3 zoning districts.

5. Height, Density, and Yard Requirements

All tracts and lots of property within an R-1 zoning district, excluding those for utility facilities and Accessory Use lots, created after the effective date of these regulations:

a. Shall have a minimum road frontage dimension of twenty-five (25) feet;

b. Shall have a minimum lot size based on the following conditions:

i. Tier 1: (Lots three (3) acres or greater) No Camden County Wastewater Department permit required prior to platting. A Camden County Wastewater permit may be required prior to constructing.

ii. Tier 2: (Lots .92 acres to less than three (3) acres) Plats that do not have access to permitted offsite wastewater treatment systems with lots between .92 acres and three (3) acres shall demonstrate, by obtaining a permit with the Camden County Wastewater Office, the ability to support the construction of a residence, private well, if potable water access is not provided, and private on-site wastewater treatment system without setback variances from either the Camden County Unified Land-Use Code or the Missouri Department of Health and Senior Services regulations. A preliminary plat and/or site plan must be submitted illustrating a structure, off-street parking, private well or connection to shared/public water, on-site wastewater treatment system, and any other features required by the Missouri Department of Health and Senior Services. Soil analysis must be performed by a Missouri On-Site Soil Evaluator for the design. Limitations on house footprint and occupancy will remain based on the permitted plans.

iii. Tier 3: (Minimum lot size 5,000 square feet to less than .92 acres) Plats that demonstrate access/connection to MODNR permitted wastewater treatment plant or remote Onsite Wastewater Treatment System permitted by Camden County Wastewater with a sign off from the Camden County Wastewater Department.

c. Garage Lot: A garage lot is a lot that is platted for the sole use of constructing a garage as an accessory structure to a dwelling. The minimum lot size is 5,000 square feet. The lot must be platted at the time of the original subdivision and the two parcels (the garage lot and the residential lot which it serves) must be deed tied in such a way that both parcels are essentially a single unit of property for the purpose of sale or transfer. The deed tie shall be held in perpetuity ensuring that both parcels are always sold or transferred at the same time to the same buyer/transferee. No water or plumbing are allowed in the structure for any reason. If water is installed in/at the garage lot, then it must have a connection to an MDNR approved wastewater facility or a properly permitted remote on-site system from the Camden County Wastewater Department that meets all required setbacks without any variances. If a wastewater connection is provided and water is installed the lot is not considered a garage lot, but is classified as a residential lot;

d. Lots and Tracts located in the R-1 Low Density Residential zoning district shall not include the area of road rights-of-way;

e. Minimum setback requirements:

All setbacks will be measured from the exterior wall or deck footing closest to the corresponding property line. All overhangs have a maximum measurement of 24".

i. Minimum front setback (off the road right-of-way) – Fifteen (15) feet;
ii. Minimum side setback – Ten (10) feet;
iii. Minimum rear setback – Fifteen (15) feet.

Note: The front is generally the side of the lot that fronts a street. For corner lots, the narrowest side fronting the street is considered the front.

f. For lakefront residential lots the lakefront setback will be zero (0) feet (shall reference Ameren Ownership and FEMA floodplain).

6. Utility Use Lot

The establishment of a lot for the sole purpose of the placement of one or more of the following land uses under the following stipulations:

a. No Primary or Accessory Use structure or land use shall be allowed on a Utility Use lot unless listed herein;

b. Front setback (off the road right-of-way) is a minimum of fifteen (15) feet;

c. Side and rear setbacks are a minimum of seven (7) feet;

d. Well house or other utility facility;

e. Flat work parking spaces;

f. No minimum lot size.

SECTION 909 – R-2: MEDIUM DENSITY RESIDENTIAL

1. Purpose of District

a. This zoning district is intended for medium density residential development, primarily two-family dwelling units, all of which are contained within a single structure.

b. Provision is also made for such educational, recreational, and religious uses as are customarily associated with residential uses.

c. Developments that include any structure having more than a single-family dwelling are required to provide appropriate water and wastewater service.

2. Principal Permitted Uses

a. Any use included as a principal permitted use in the R-1 zoning district;

b. Residential structures with four (4) or fewer dwelling units such as duplexes, and other similar residential structures;

c. Bed and Breakfast.

3. Accessory Uses

a. Any accessory use listed for the R-1 zoning district;

b. Any accessory uses, buildings, or structures customarily incidental to the aforesaid permitted uses.

4. Conditional Use Permits

a. Any use listed as a Conditional Use Permit under the provisions of the R-1 zoning district that have not been addressed as a Principal Permitted Use;

5. Height, Density, and Yard Requirements

All tracts and lots of property within an R-2 zoning district, excluding those for utility facilities and Accessory Use lots, created after the effective date of these regulations:

a. Shall have a minimum road frontage dimension of twenty-five (25) feet;

b. Shall have a minimum lot size based on the following conditions:

i. Tier 1: (Lots three (3) acres or greater) No Camden County Wastewater Department permit required prior to platting. A Camden County Wastewater permit may be required prior to constructing.

ii. Tier 2: (Lots .92 acres to less than three (3) acres) Plats that do not have access to permitted offsite wastewater treatment systems with lots between .92 acres and three (3) acres shall demonstrate, by obtaining a permit with the Camden County Wastewater Office, the ability to support the construction of a residence, private well, if potable water access is not provided, and private on-site wastewater treatment system without setback variances from either the Camden County Unified Land-Use Code or the Missouri Department of Health and Senior Services regulations. A preliminary plat and/or site plan must be submitted illustrating a structure, off-street parking, private well or

connection to shared/public water, on-site wastewater treatment system, and any other features required by the Missouri Department of Health and Senior Services. Soil analysis must be performed by a Missouri On-Site Soil Evaluator for the design. Limitations on house footprint and occupancy will remain based on the permitted plans.

iii. Tier 3: (Minimum lot size 5,000 square feet to less than .92 acres) Plats that demonstrate access/connection to MODNR permitted wastewater treatment plant or remote Onsite Wastewater Treatment System permitted by Camden County Wastewater with a sign off from the Camden County Wastewater Department.

c. Lots and tracts of land located in the R-2 Medium Density Residential zoning district shall not include the area of road rights-of-way;

d. Minimum setback requirements:

All setbacks will be measured from the exterior wall or deck footing closest to the corresponding property line. All overhangs have a maximum measurement of 24".

1. Minimum front setback (off the road right-of-way) – Fifteen (15) feet;
2. Minimum side setback – Ten (10) feet;
3. Minimum rear setback – Fifteen (15) feet.

Note: The front is generally the side of the lot that fronts a street. For corner lots, the narrowest side fronting the street is considered the front.

e. For lakefront residential lots, the lakefront setback will be zero (0) feet (shall reference Ameren Ownership and FEMA floodplain).

6. **Utility Use Lot**

The establishment of a lot for the sole purpose of the placement of one or more of the following land uses under the following stipulations:

a. No Primary or Accessory Use structure or land use shall be allowed on an Accessory lot unless listed herein;

b. Front setback (off the road right-of-way) is a minimum of fifteen (15) feet;

c. Side and rear setbacks are a minimum of seven (7) feet;

d. Well house or other utility facility;

e. Flat work parking spaces;

f. No minimum lot size.

SECTION 910 – R-3: HIGH DENSITY RESIDENTIAL

1. Purpose of District

a. This zoning district is intended for high-density residential development of primarily multi-family residential dwelling units, all contained within a single structure.

b. Provision is also made for such educational, recreational, and religious uses as are customarily associated with residential uses to provide the basic elements of a balanced and attractive residential area.

c. Developments are required to provide appropriate water and wastewater services that may include central or public systems.

2. Principal Permitted Uses

a. Any use included as a principal permitted use in the R-1 and R-2 zoning districts;

b. Residential structures with five (5) or more dwelling units such as apartments, condominiums, timeshares, and other similar residential structures;

c. Institutional (hospital, nursing, rest, or convalescent homes as well as educational or religious facilities) on a site not less than five (5) acres and provided that not more than 50% of the site can be covered with impervious surfaces;

d. Children's day care center provided that not more than ten (10) children are kept with no more than a two (2) child overlap that meets State of Missouri licensing requirements;

e. Recreational vehicle (RV) condominium plat, where RV spaces are intended to be sold as individual parcels for the purpose of placing recreational vehicles or portable tiny homes. Tiny homes shall have a minimum square footage of 400 square feet, and a maximum square footage of 600 square feet. See Appendix F for lot size, density, and other requirements for this development.

3. Accessory Uses

a. Any accessory use listed for the R-1 and R-2 zoning districts;

b. Any accessory uses, buildings, or structures customarily incidental to the aforesaid permitted uses;

c. Property management or sales office, model unit, or dwelling;

d. Storage or parking area to serve residents.

4. Conditional Use Permits

a. Any use listed as a Conditional Use Permit under the provisions of the R-1 or R-2 zoning districts that have not been addressed as a Principal Permitted Use;

b. Children's day care center provided that not more than twenty (20) children are kept with no more than a five (5) child overlap that meets State of Missouri licensing requirements;

c. Hotel or motel meeting the following restrictions:

   i. Access shall be directly to a major roadway that does not directly access one or two-family residential structures;

   ii. Development site must be a minimum of three (3) acres in area;

   iii. Sufficient parking and buffering from all other residential uses to mediate any adverse effects.

d. Boarding Schools.

5. Height, Density, and Yard Requirements

All tracts and lots of property within an R-3 zoning district, excluding those for utility facilities and Accessory Use lots, created after the effective date of these regulations:

a. Shall have a minimum road frontage dimension of fifty (50) feet. On cul-de-sacs and curves, the minimum road frontage measurement may be measured along the arc of the setback line although actual road frontage still cannot be reduced below twenty-five (25) feet;

b. Shall have a minimum lot area of 10,000 square feet. Multi-family units will be allowed a density of 17 units per acre when the applicant has demonstrated that the dwelling to be

constructed will have proper wastewater facilities permitted by the Camden County Wastewater Department or MDNR, and all other conditions of this Code are met;

c. The maximum height of any structure shall be fifty-five (55) feet above the finished grade.

d. The minimum size of any residential dwelling unit in the R-3 zoning district shall be 400 square feet;

e. Lots and tracts located in the R-3 High Density Residential Zoning District shall not include the area of road rights-of-way;

f. A maximum of 65% of the residential lot or tract shall be covered with impervious cover (roofs, parking, sidewalks, etc.), unless served by an MDNR approved centralized wastewater system;

g. Swimming pools are subject to all setback requirements, with the limited exception of lakefront pools. Lakefront pools are not subject to lakefront setbacks;

h. Minimum setback requirements:

All setbacks will be measured from the exterior wall or deck footing closest to the corresponding property line. All overhangs have a maximum measurement of 24".

Two (2) story structure with a basement (or the lowest level of the structure) counting as a story:

i. Minimum front setback – Thirty (30) feet;
ii. Minimum side setback – Twenty (20) feet;
iii. Minimum rear setback – Twenty (20) feet.

Structures with more than two (2) stories, with a basement (or the lowest level of the structure) counting as a story (setbacks will be calculated based on the tallest building in the development):

i. Minimum front setback – Number of stories times fifteen (15) feet;
ii. Minimum side setback – Number of stories times twelve (12) feet;
iii. Minimum rear setback – Number of stories times twelve (12) feet.

Note: The front is generally the side of the lot that fronts a street. For corner lots, the narrowest side fronting the street is considered the front.

i. For lakefront lots, the lakefront setback will be zero (0) feet.

SECTION 911 – R-4: MANUFACTURED HOME PARKS

1. Purpose of District

a. This zoning district is primarily intended for the development of quality manufactured home parks and associated uses.

b. Provision is also made for such educational, recreational, and religious uses as are customarily associated with residential uses to provide the basic elements of a balanced and attractive residential area.

c. Developments that involve manufactured home parks or more than one single family dwelling per three acres are required to provide appropriate water and wastewater service to include central or public systems.

2. Principal Permitted Uses

a. Any use included as a principal permitted use in the R-1 and R-2 zoning districts;

b. Manufactured home parks developed in accordance with the standards referenced in Appendix E.

3. Accessory Uses

a. Any accessory use listed for the R-1 and R-2 zoning districts;

b. Any accessory uses, buildings, or structures customarily incidental to the aforesaid permitted uses;

c. Property management or sales office.

4. Conditional Use Permits

a. Any use listed as a Conditional Use Permit under the provisions of the R-1 or R-2 zoning districts that have not been addressed as a Principal Permitted Use.

5. Height, Density, and Yard Requirements

a. Manufactured home parks shall comply with all density and yard standards referenced in Appendix E except for those provisions that are specifically addressed in this Section;

b. All tracts and lots of property created after the effective date of these regulations shall have a minimum road frontage of eighty (80) feet (on cul-de-sacs and curves this is measured at the setback line);

c. All tracts and lots of property created after the effective date of these regulations shall have a minimum lot area of 22,000 square feet;

d. The maximum height of any structure shall be fifty (50) feet above the finished grade;

e. Lots and tracts located in the R-4 Manufactured Home Park zoning district shall not include the area of road rights-of-way;

f. A maximum of 65% of the residential lot or tract shall be covered with impervious cover (roofs, parking, sidewalks, etc.), unless served by a MDNR approved centralized wastewater system;

g. The applicant must demonstrate that the development will have proper wastewater facilities permitted by the Camden County Wastewater Department or MDNR;

h. Minimum setback requirements (includes Manufactured Home Park perimeter):

All setbacks will be measured from the exterior wall or deck footing closest to the corresponding property line. All overhangs have a maximum measurement of 24".

i. Minimum front setback – Forty (40) feet;
ii. Minimum side setback – Twenty (20) feet;
iii. Minimum rear setback – Twenty (20) feet.

Note: The front is generally the side of the lot that fronts a street. For corner lots, the narrowest side fronting the street is considered the front.

i. For lakefront lots, the lakefront setback will be zero (0) feet.

SECTION 912 – B-1: OFFICE/LOW IMPACT COMMERCIAL

1. Purpose of District

a. This district is intended for those establishments that can expect low to moderate volumes of consumer traffic and low volumes of commercial and service vehicle traffic.

b. This district provides a location for administrative and professional offices.

c. Neighborhood and local commercial uses intended to primarily serve residents and citizens of the nearby area.

d. The principal use of land is to provide an area for smaller structures in a landscaped setting.

e. This type of development can serve as a buffer between more intense retail and office uses and established residential neighborhoods.

2. Principal Permitted Uses

a. Office and administrative uses such as government offices, professional offices, financial offices, real estate offices, and other similar uses;

b. Personal service establishments including beauty parlors, barber shops, dry cleaning and laundry pickup, shoe repair, self-service laundromats, funeral homes, and other similar uses;

c. Restaurants and cafes excluding dancing and live music or those with drive-in, or drive-up service;

d. Retail establishments located within a completely enclosed building and that do not exceed 10,000 square feet in area;

e. Day care center for children or adults provided that not more than twenty (20) individuals are kept with no more than a five (5) person overlap, that meets State of Missouri licensing requirements;

f. Churches and other places of worship including overnight shelters and temporary outdoor revivals;

g. Educational facilities of general instruction including cultural, administrative, and/or public buildings;

h. Emergency medical transportation stations;

i. Fire Stations;

j. Medical clinics and veterinary facilities to include doctors' offices;

k. Pet shop, animal hospital, veterinary clinic, kennel (not for boarding);

l. Commercial bakery.

3. Accessory Uses

a. Any accessory uses, buildings, or structures customarily incidental to the aforesaid permitted uses;

b. Single-family dwelling to include site-built homes, modular homes, and Class A and Class B manufactured homes, provided that the residential unit is occupied by the owner and operator or a full-time employee of the principal permitted use;

c. Sufficient parking and loading sites required to serve the principal use.

4. Conditional Use Permits

a. Banking and financial institutions with drive-up or drive through facilities;

b. Restaurants with drive-up or drive through service, or that have outdoor dining areas;

c. Restaurants, clubs, and/or bars that include dancing and/or live entertainment;

d. Convenience stores with outdoor fuel sales;

e. Medical clinics with pharmacies;

f. Indoor self-storage facilities;

5. Height, Density, and Yard Requirements

All tracts and lots of property within a B-1 zoning district created after the effective date of these regulations:

a. The maximum height of any structure shall be thirty-five (35) feet above the finished grade;

b. Maximum of 5,000 square feet of all levels above the highest adjacent grade;

c. Shall have a minimum road frontage dimension of eighty (80) feet;

d. Shall have a minimum lot area of 12,000 square feet;

e. A maximum of 50% of the development site shall be covered with impervious cover (roofs, parking, sidewalks, etc.);

f. Lots and tracts located in the B-1 Office/Low Impact Commercial zoning district shall not include the area of road rights-of-way;

g. Swimming pools are subject to all setback requirements, with the limited exception of lakefront pools. Lakefront pools are not subject to lakefront setbacks;

h. The applicant must demonstrate that the development will have proper wastewater facilities permitted by the Camden County Wastewater Department or MDNR;

i. Minimum setback requirements:

All setbacks will be measured from the exterior wall or deck footing closest to the corresponding property line. All overhangs have a maximum measurement of 24".

i. Minimum front setback – Twenty-five (25) feet;
ii. Minimum side setback – Twenty (20) feet;
iii. Minimum rear setback – Twenty (20) feet.

Note: The front is generally the side of the lot that fronts a street. For corner lots, the narrowest side fronting the street is considered the front.

j. For lakefront lots, the lakefront setback will be zero (0) feet.

SECTION 913 – B-2: GENERAL COMMERCIAL

1. Purpose of District

a. This zoning district is intended for those establishments that can expect medium volumes of consumer traffic as well as medium volumes of commercial and service traffic.

b. The district is intended to provide a location for retail trade and to provide services to meet the regular needs and convenience of residents and visitors.

c. The principal use of land is for general retail business activity.

2. Principal Permitted Uses

a. Any use included as a principal permitted use in the B-1 and R-3 zoning district except as herein modified. All setbacks and density requirements must be met for the zoning district where the use first exists as a principal permitted use.

b. Automobile, truck, trailer, farm implement, boat sales, and marine supply establishments for display, hire, sales, repair, including sales lots, provided that all operations, other than display and sales, shall be contained within a completely enclosed building;

c. Motor vehicle repair and service facilities to include drive-up service, but with no outdoor storage of wrecks, vehicle parts, or salvaged materials;

d. Banks and financial companies, including drive-in type, department and variety stores, specialty shops, studios, including commercial broadcasting schools;

e. Camper or travel trailer parks developed in compliance with Appendix F, this section does not preclude or prevent a RV development using the provisions of R-1 with one unit per lot;

f. Indoor theaters;

g. Hotels and motels;

h. Carpenter shops, electrical, plumbing, and heating/cooling shops, printing, publishing, or lithographing shops, funeral or mortuary, and furniture upholstering provided that any such use be conducted within a completely enclosed building;

i. Skating rinks, dance halls, arcades, laundry, or commercial greenhouses;

j. Outdoor advertising structure;

k. Commercial marina;

l. Self-storage facilities.

3. Accessory Uses

a. Any accessory use or structure customarily accessory and incidental to the listed principal permitted uses.

4. Conditional Use Permit

a. Drive-in theaters, commercial baseball fields, swimming pools, golf driving ranges, livery stables and riding academies, amusement parks, massage parlors, health care, night clubs, or recreational uses including water slides, racetracks, nursing homes, or similar uses;

b. Single-family dwelling to include site-built homes, modular homes, and Class A or Class B manufactured homes, provided that the residential unit is occupied by the owner and operator or a full-time employee of the principal permitted use;

c. Dock assembly not including salvage operations;

d. Restaurants, clubs, bars, lounges, etc., that have an outdoor entertainment venue (intended to draw customers) to include dancing and/or musical entertainment (live or not);

e. Boarding kennels.

f. Drive-in eating and drinking establishments, summer gardens, and roadhouses, with or without entertainment and dancing;

5. Height, Density, and Yard Requirements

All tracts and lots of property in a B-2 zoning district created after the effective date of these regulations:

a. The maximum height of any commercial structure, excluding utility structures, shall be one hundred and twenty (120) feet above the average finished grade. Residential structures approved through a Conditional Use Permit (CUP) must comply with the standards of the appropriate zoning district where the structure would be a Principal Permitted Use;

b. Shall have a minimum road frontage of seventy (70) feet;

c. Shall have a minimum lot area of 22,000 square feet;

d. Shall have a maximum usable building square footage of 50,000 square feet;

e. A maximum of 65% of the development site shall be covered with impervious cover (roofs, parking, sidewalks, etc.). A development may increase the impervious cover above 65% and up to 100% with an approved stormwater management/retention plan prepared by a Professional Engineer to provide detention for a 100-year storm;

f. Lots and tracts located in the B-2 General Commercial zoning district shall not include the area of road rights-of-way;

g. Swimming pools are subject to all setback requirements, with the limited exception of lakefront pools. Lakefront pools are not subject to lakefront setbacks;

h. The applicant must demonstrate that the development will have proper wastewater facilities permitted by the Camden County Wastewater Department or MDNR;

i. Minimum setback requirements:

All setbacks will be measured from the exterior wall or deck footing closest to the corresponding property line. All overhangs have a maximum measurement of 24".

Two (2) story structure with a basement (or the lowest level of the structure) counting as a story:

i. Minimum front setback – Thirty (30) feet;
ii. Minimum side setback – Twenty (20) feet;
iii. Minimum rear setback – Twenty (20) feet.

Structures with more than two (2) stories, with a basement (or the lowest level of the structure) counting as a story:

i. Minimum front setback – Number of stories times fifteen (15) feet;
ii. Minimum side setback – Number of stories times twelve (12) feet;
iii. Minimum rear setback – Number of stories times twelve (12) feet.

Note: The front is generally the side of the lot that fronts a street. For corner lots, the narrowest side fronting the street is considered the front.

j. For lakefront lots, the lakefront setback will be zero (0) feet.

SECTION 914 – B-3: HIGH IMPACT COMMERCIAL

1. Purpose of District

a. This zoning district is intended to provide for those establishments that can expect high volumes of consumer, commercial, and/or service traffic.

b. The district is intended to provide a location for retail trade and to provide services to meet the regular needs and convenience of the residents and citizens from a regional service area.

c. The principal use of land is for large retail or entertainment centers.

2. Principal Permitted Uses

All principal permitted uses that qualify as a lake frontage development must be reviewed as a Conditional Use Permit (CUP) to address the special issues concerning such a location.

a. Any use included as a principal permitted use in the B-1 and B-2 zoning districts except as herein modified;

b. Big box retailers;

c. Convention centers;

d. Drive-in theaters;

e. Arenas, water parks, racetracks, and other such entertainment venues;

f. Shopping centers;

g. Building materials sales yards, not to include concrete mixing;

h. Retail lumber yards;

i. Stone, concrete monument, and statuary sales yards.

j. Drive-in eating and drinking establishments, summer gardens, and roadhouses, with or without entertainment and dancing;

3. Accessory Uses

a. Any accessory use or structure customarily accessory and incidental to the listed principal permitted uses.

4. Conditional Use Permits

a. Adult entertainment facilities provided that:

i. The use shall be located a minimum of 1,000 feet from any existing educational or religious worship site;

ii. The use shall be located a minimum of 500 feet from any existing occupied residence or residential subdivision lot.

b. Correctional confinement facilities;

c. Gaming or gambling facilities;

d. Any use listed as a principal permitted use in the B-3 High Impact Commercial zoning district that qualifies as a lake frontage development must be reviewed as a Conditional Use Permit (CUP) to address the special issues concerning such a location.

5. Height, Density, and Yard Requirements

All tracts and lots of property in a B-3 zoning district created after the effective date of these regulations:

a. The maximum height of any commercial structure, excluding utility structures, shall be one hundred and twenty (120) feet above the average finished grade;

b. Shall have a minimum road frontage dimension of one hundred sixty (160) feet;

c. Shall have a minimum lot area of one acre;

d. A maximum of 75% of the development site shall be covered with impervious cover (roofs, parking, sidewalks, etc.). A development may increase the impervious cover above 75% and up to 100% with an approved stormwater management/retention plan prepared by a Professional Engineer to provide detention for the 100-year storm;

e. Lots and tracts located in the B-3 High Impact Commercial zoning district shall not include the area of road rights-of-way;

f. Setback requirements apply to both public and private roads;

g. Swimming pools are subject to all setback requirements, with the limited exception of lakefront pools. Lakefront pools are not subject to lakefront setbacks;

h. The applicant must demonstrate that the development will have proper wastewater facilities permitted by the Camden County Wastewater Department or MDNR;

i. Minimum setback requirements:

All setbacks will be measured from the exterior wall or deck footing closest to the corresponding property line. All overhangs have a maximum measurement of 24".

Two (2) story structure with a basement (or the lowest level of the structure) counting as a story:

i. Minimum front setback – Forty (40) feet;
ii. Minimum side setback – Twenty (20) feet;
iii. Minimum rear setback – Thirty (30) feet.

Structures with more than two (2) stories, with a basement (or the lowest level of the structure) counting as a story:

i. Minimum front setback – Number of stories times twenty (20) feet;
ii. Minimum side setback – Number of stories times twelve (12) feet;
iii. Minimum rear setback – Number of stories times fifteen (15) feet.

Note: The front is generally the side of the lot that fronts a street. For corner lots, the narrowest side fronting the street is considered the front.

j. For lakefront lots, the lakefront setback will be zero (0) feet.

APPENDIX F: RECREATIONAL VEHICLES

F-1: DEFINITIONS

Recreational Vehicle (RV) - Any travel trailer, camper, van, or similar vehicle which is designed, used, or maintained as a temporary or full time dwelling for travel, vacation, or recreation purposes, that either has its own motive power or is mounted on or is towed by another vehicle.

Caretaker's Residence/Office – Any temporary or permanent residence that is placed in the same fashion as a manufactured home, tiny home, or recreational vehicle meeting the setbacks in R-1 that is less than 400 square feet in area and is classified by the State of Missouri as a recreational vehicle.

Recreational Vehicle (RV) Park and Campground – An area or tract of land used to accommodate two (2) or more recreational vehicles or campsites.

Park Model Home – Any home that is less than 400 square feet in area and is classified by the State of Missouri as a recreational vehicle.

F-2: RECREATIONAL VEHICLE (RV) PARK AND CAMPGROUND STANDARDS

A Recreational (RV) Park and Campground is a development that is established for the purpose of renting out individual pad sites for recreational vehicles (RVs) or camping. Any Recreational Vehicle (RV) Park and Campground development that is approved and established after the effective date of the Unified Land-Use Regulations shall meet the following standards:

1. The minimum area that will be allowed for a RV Park and Campground is five (5) acres;

2. Recreational Vehicle (RV) Parks and Campgrounds shall contain not more than an average of sixteen (16) sites per acre for recreational vehicles and/or camping. The spaces may be clustered provided that the land that is not included in the individual sites, roads, sidewalks, or parking, is set aside and developed as park, playground, open space, or service area. Not more than one (1) recreational vehicle or two (2) tents may be placed on a single site;

3. Each recreational vehicle site shall have a minimum width of twenty-five (25) feet and a minimum length of fifty (50) feet. Recreational vehicles (RVs), including slide outs, structures, and temporary structures on one site shall be separated from recreational vehicles (RVs), including slide outs, structures, and temporary structures on adjacent sites by at least ten (10) feet;

4. Service facilities shall fully comply with the codes of the State of Missouri;

5. Any Recreational Vehicle (RV) Park and Campground developed adjacent to residentially zoned use property shall establish a minimum of a thirty (30) foot wide vegetative buffer. The buffer zone may not be a part of the 10% open space requirement for developments with 48 or more sites;

6. Recreational Vehicle (RV) Parks and Campgrounds that include 48 or more sites must provide a minimum of ten percent (10%) of the gross area of the development as usable common open space that is developed and maintained for recreational purposes;

7. A Recreational Vehicle (RV) Park and Campground may have a single residence, recreational vehicle, or tiny home located within the development for use as a Caretaker's Residence or office. This site counts towards the density and lot count for the development;

8. Parks that allow Park Models shall allocate a minimum of two (2) sites per Park Model unit.

9. Recreational Vehicle (RV) Parks and Campgrounds must have platted roadways that adhere to Camden County Road and Bridge requirements for the density of the development. Roadways must also meet ingress/egress requirements for fire and ambulance equipment. The minimum platted roadway width shall be forty (40) feet wide. Developments must also provide appropriate potable and wastewater facilities as per Camden County Wastewater regulations, or MDNR, in accordance with Missouri State Law.

F-3: RECREATIONAL VEHICLE CONDOMINIUM PLAT

A Recreational Vehicle (RV) Condominium Plat is a subdivision plat created for a development that intends to subdivide and sell individual recreational vehicle pads. Any Recreational (RV) Vehicle Condominium Plat development that is approved and established after the effective date of the Unified Land-Use Regulations shall meet the following standards:

1. The minimum area that will be allowed for a Recreational Vehicle (RV) Condominium Plat is five (5) acres;

2. A Recreational Vehicle (RV) Condominium Plat is intended for developments that plan to sell the individual lots as separate parcels, or "condominium" recreational vehicle (RV) lots. The Recreational Vehicle (RV) Condominium Plat shall contain not more than twelve (12) sites per acre for recreational vehicles (RVs). The minimum lot size is 3,000 square feet. Not more than one (1) recreational vehicle (RV) may be placed on a single site. Lot square footage may not include areas of road rights-of-way;

3. Each recreational vehicle (RV) site shall have a minimum width of forty (40) feet and a minimum length of sixty (60) feet. Recreational vehicles (RVs), including slide outs, structures, and temporary structures on one site shall be separated from recreational vehicles (RVs), including slide outs, structures, and temporary structures on adjacent sites by at least ten (10) feet;

4. Service facilities shall fully comply with the codes of the State of Missouri;

5. Any Recreational Vehicle (RV) Condominium Plat that is developed adjacent to residentially zoned use property shall establish a minimum of a thirty (30) foot wide vegetative buffer. The buffer zone may not be a part of the 10% open space requirement for developments with 48 or more sites;

6. Recreational Vehicle (RV) Condominium Plats that include 48 or more lots must provide a minimum of ten percent (10%) of the gross area of the development in usable common open space that is developed and maintained for recreational purposes;

7. Recreational Vehicle (RV) Condominium Plats must have platted roadways that adhere to Camden County Road and Bridge requirements for the density of the development. Roadways must also meet ingress/egress requirements for fire and ambulance equipment. The minimum platted roadway width shall be forty (40) feet wide. Developments must also provide appropriate potable and wastewater facilities as per Camden County Wastewater regulations, or MDNR, in accordance with Missouri State Law.

6. Recreational Vehicle (RV) Condominium Plats that include 48 or more lots must provide a minimum of ten percent (10%) of the gross area of the development in usable common open space that is developed and maintained for recreational purposes;

7. Recreational Vehicle (RV) Condominium Plats must have platted roadways that adhere to Camden County Road and Bridge requirements for the density of the development. Roadways must also meet ingress/egress requirements for fire and ambulance equipment. The minimum platted roadway width shall be forty (40) feet wide. Developments must also provide appropriate potable and wastewater facilities as per Camden County Wastewater regulations, or MDNR, in accordance with Missouri State Law.

This is the revised edition of this section of the Camden County Unified Land Use Code. All revisions and additions were adopted this 19th day of February, 2026.

Ike Skelton,	James Gohagan,	Steve Dougan
Presiding Commissioner	1st District Commissioner	2nd District Commissioner

SECTION 904 – A-1: AGRICULTURAL

1. Purpose of District:

a. This district is intended to provide for agricultural and related uses;

b. To allow such residential and accessory uses for the safe and proper operation of the principal permitted uses.

2. Principal Permitted Uses:

a. Agricultural and horticultural property as defined in RSMo. Section 137.016. (This includes the raising of crops, livestock, orchards, or forestry, and seasonal or temporary impoundments used for rice farming or flood irrigation);

b. Apiaries, aviaries, fish hatcheries, and fur farming or the raising of fur-bearing animals;

c. Nursery and greenhouse operations;

d. Farm and produce on premise sales;

e. Airports and landing fields, subject to provisions of the Missouri State Statutes ;

f. Hunting, fishing, and propagation of wildlife;

g. Boarding stables and the associated riding and training activities;

h. Home Occupations/Residential Based Businesses with up to twenty (20) hours a week of retail sales;

i. Single family dwellings to include site built homes, modular homes, Class A and Class B manufactured homes on an unsubdivided lot not the exceed two (2) dwellings per lot and a maximum density of one (1) single family home per five (5) acres;

j. Cemeteries;

k. Public building or facility erected by a governmental agency;

l. Private kennel;

m. Private non-commercial recreational areas.

3. Accessory Uses:

a. Living quarters of persons employed on the premises;

b. Living quarters for the keeping of roomers or boarders, not for temporary periods, by a resident family, not to exceed two (2) bedrooms;

c. A private garage, workshop, parking area, or stable;

d. Roadside stands, offering for sale only agricultural products produced on the premises or in the vicinity;

e. Temporary buildings for uses incidental to construction work that is incidental to a permitted use;

f. Any buildings or structures normally associated with the principal permitted uses.

4. Conditional Use Permits:

a. Schools, cultural, administrative, or public buildings;

b. Churches and other places of worship expected to exceed 3,000 gallons of wastewater per day, including parish houses and Sunday Schools, but excluding overnight shelters and temporary outdoor revivals (must be in compliance with MDNR wastewater regulations);

c. Temporary roadside stands for non-agricultural commercial sales;

d. Commercial mills, oil drilling, quarries and gravel pits, temporary sawmill for cutting timber grown on the premises:

   i. Provided that any lot or tract of land containing such use in not less than ten (10) acres in area;

   ii. That the location of any power-driven or power-producing machinery affixed to the real estate shall comply with distance of five hundred (500) feet from any R zoning district.

e. Bed and Breakfast;

f. Golf Course with clubhouse and driving range as accessory uses (Miniature golf courses are not included);

g. Major or Multiple-Use Subdivisions;

h. Private commercial recreational areas;

i. Commercial cemeteries, including mausoleums and crematories provided that the new cemetery contains an area not less than twenty (20) acres;

j. Hospitals and sanitariums, including institutions for contagious disease, the insane, addiction disorders, and penal or correctional institutions;

k. Wineries and associated on-site sales;

l. Rifle, skeet, trap, pistol ranges, and similar uses provided that the physical layout of such uses (firing line, targets, range, etc.) shall be located a minimum of five hundred (500) feet from any R zoning district;

m. Commercial kennels, animal hospitals, veterinary clinics, or kennels;

n. Raising or keeping of exotic or wild animals as defined by Missouri State Statutes 578.023;

o. Class 1A Confined Animal Feeding Operations (CAFO) as regulated by the Missouri Department of Natural Resources provided that:

    i. The property that would contain the CAFO is a minimum of twenty (20) acres in area;

    ii. The physical layout of the CAFO is a minimum of one thousand (1,000) feet from any R zoning district and a minimum of five hundred (500) feet from any existing occupied residence;

    iii. The application is in compliance with existing regulations..

p. Banquet halls, Event Centers, Wedding Venues, and similar uses;

q. Special events (e.g., weddings, fundraisers, marathons).

Note: Quarries, mining, and extraction sites are principal permitted uses in Section 915 – I-1: Industrial.

5. Height, Density, and Yard Requirements:

All tracts and lots of property within an A-1 zoning district created after the effective date of these regulations:

a. Shall have a minimum width dimension of two hundred (200) feet measured through the building area of the lot (between the front and rear setbacks) measured perpendicular to the centerline of the lot. See RSMo. Sections 64.600 and 64.620.

b. The maximum height of any structure shall be fifty (50) feet above the finished grade;

c. Lots and tracts located in the A-1: Agricultural Zoning District may include the area of road rights-of-way;

d. Minimum yard setback requirements for structures:

   i. Minimum front setbacks:

      a. Fifty (50) feet from any publicly maintained roadway;

      b. Forty (40) feet from any privately maintained roadway.

   ii. Minimum side yard setback – Twenty (20) feet;

   iii. Minimum rear yard setback – Forty (40) feet.

e. This section shall not apply to the erection, maintenance, repair, alteration, or extension of farm buildings or farm structures used for such purposes in an area not within the area shown on the flood hazard area map. RSMo. Section 64.620.

f. This section shall not apply to the raising of crops, livestock, orchards, or forestry, or to seasonal or temporary impoundments used for rice farming or flood irrigation. (See definitions in Section 802(2). RSMo. Section 64.620.

g. This section does not authorize interference with such public utility services as may have been, or may hereafter be authorized, or ordered by the Public Service Commission (PSC), or by permit of the County Commission, as the case may be. See RSMo. Section 64.620.

h. Airports/landing fields shall be allowed to build hangar structures on airport/landing field property which may be subdivided inside the parent parcel of the airport/landing field for the purpose of individual ownership. Minimum lot size for hangar lots is 2,500 (Two Thousand Five Hundred) square feet. Hangar lots do not have any internal setback requirements and

may be built individually, stand alone, or with a common wall (sold using a party wall agreement). All hangar structures must meet the setback requirements for the perimeter of the parent parcel for the airport/landing field found in this Section. Hangars may not have living quarters, and are not to be occupied as a residence of any kind. No wastewater treatment system or facilities shall be located within the hangar lot.

APPROVED AND ADOPTED this 20th day of August, 2026.

CAMDEN COUNTY, MISSOURI

Ike Skelton, Presiding Commissioner

APPENDIX L: DATA CENTERS, INNOVATION AND RESEARCH CAMPUSES, COLOCATION CENTERS, SERVER FARMS, DATA HALLS, INFORMATION TECHNOLOGY CENTERS, COMPUTING CENTERS, DATA PROCESSING CENTERS, AND SIMILAR FACILITIES

L-1: DEFINITIONS

Data Center, Innovation and Research Campus, Colocation Center, Server Farm, Data Hall, Information Technology Center, Computing Center, Data Processing Center: A secure physical facility ranging from enterprise sites to large-scale, 40+ acre campus developments, designed to house critical computing infrastructure, servers, and network equipment. These facilities are typically classified as industrial or intensive commercial uses, requiring significant power, water for cooling, and specialized infrastructure, often necessitating specific zoning, such as high density commercial or industrial, as well as requiring Conditional Use Permits and/or Development Agreements for their operation.

Server Square Footage: The interior floor area within a structure used to house, operate, and provide direct operational access to information technology equipment, including server racks, server cabinets, network equipment racks, storage equipment racks, and the operating aisles (hot aisles, cold aisles, or containment aisles) immediately adjacent to and serving such equipment. Server square footage does NOT include: general office space, conference rooms, restrooms, break rooms, loading docks, lobbies, administrative areas, building circulation corridors not directly serving IT equipment aisles, mechanical rooms housing cooling plant or HVAC equipment, electrical rooms housing UPS systems, batteries, switchgear, or transformers, fire suppression equipment rooms, or general storage. The intent is to measure only the floor area where IT computing equipment is physically installed and operated.

Peak Demand (Power): The maximum instantaneous electrical power demand of the facility, expressed in megawatts (MW), measured at the facility's primary utility service entrance or, for self-generated power, at the output of all on-site generation serving the IT load and supporting infrastructure. Peak Demand shall be modeled in the Energy Consumption Modeling Report at full operational buildout (100% rack utilization, worst-case ambient conditions for cooling).

Affiliated Entity: Any person, partnership, corporation, limited liability company, trust, or other legal entity that, directly or indirectly, controls, is controlled by, or is under common control with another such entity. Control means ownership of more than 5% of voting equity, the power to direct management or policies, or shared officers, directors, or managing members.

Common Operator: Any person or entity that operates, manages, or controls day-to-day operations of two or more data centers, regardless of the legal ownership structure of those facilities.

Hyperscale Data Center: A data center meeting the threshold definitions in L-2 for the Hyperscale tier.

L-2: DATA CENTER CATEGORIES

1. **Classification Rule.** A data centers shall be classified in the highest tier for which it meets OR exceeds EITHER the Peak Demand threshold OR the Server Square Footage threshold listed below. A facility need not exceed both thresholds to be classified in a given tier. Where a facility would qualify for two different tiers under the two metrics, it shall be regulated under the higher tier.

2. **Aggregation.** Two or more data centers shall be aggregated and classified as a single facility for purposes of this Appendix when both of the following conditions are met:

    a. The data centers are located on the same parcel, on contiguous parcels, or on parcels whose nearest property lines are within one (1) mile of one another; AND

    b. The data centers share common ownership, are operated by Affiliated Entities, share a Common Operator, or share substantial physical infrastructure including but not limited to electrical substations, primary power feeds, on-site generation, cooling plant, makeup water systems, OR backup generation.

    When aggregated, classification shall be based on the COMBINED Peak Demand and the COMBINED Server Square Footage of all aggregated facilities. The applicant shall disclose at the time of CUP application all data centers within Camden County under common ownership, common operation, or affiliated control.

3. **Data Center Classifications.**

    a. **Micro:** Defined as having power consumption of less than one (1) megawatt (Peak Demand), AND having a maximum Server Square Footage of two thousand (2,000) square feet. These types of data centers can be considered an accessory use in any commercial, mixed use, or industrial zoning district. Micro data centers do not require special considerations for water consumption, power consumption, or waste disposal, but do need to adhere to established local requirements for such utilities. These uses must meet the listed setback requirements.

    b. **Small:** Defined as having power consumption from one (1) megawatt to five (5) megawatts (Peak Demand), OR having a Server Square Footage from two thousand (2,000) to ten thousand (10,000) square feet, whichever places the facility in this tier. These types of data centers require special permitting and have special requirements for water consumption and disposal as well as power consumption/generation.

c. **Medium:** Defined as having power consumption from five (5) megawatts to seventy-five (75) megawatts (Peak Demand), OR having a Server Square Footage from ten thousand (10,000) to one hundred thousand (100,000) square feet, whichever places the facility in this tier. These types of data centers require special permitting and have special requirements for water consumption and disposal as well as power consumption/generation.

d. **Large:** Defined as having power consumption from seventy-five (75) to two hundred fifty (250) megawatts (Peak Demand), OR having a Server Square Footage from one hundred thousand (100,000) to five hundred thousand (500,000) square feet, whichever places the facility in this tier. These types of data centers require special permitting and have special requirements for water consumption and disposal as well as power consumption/generation.

e. **Hyperscale:** Defined as having power consumption in excess of two hundred fifty (250) megawatts (Peak Demand), OR having a Server Square Footage in excess of five hundred thousand (500,000) square feet. Hyperscale data centers are subject to all requirements applicable to Large data centers in this Appendix plus the additional requirements specifically identified for Hyperscale facilities throughout this Appendix.

4. Hyperscale Approval Process and Additional Requirements.

a. **Zoning District.** Hyperscale data centers are allowed only in the I-1 zoning district.

b. **Approval Required.** A Hyperscale data center shall require ALL of the following before commencing construction or operation:

i. A Conditional Use Permit (CUP);

ii. An executed Development Agreement;

iii. An affirmative supermajority vote (no fewer than two-thirds) of the Camden County Planning and Zoning Commission, AND an affirmative unanimous vote of the Camden County Commission, on the CUP and Development Agreement;

iv. Approval by majority vote of Camden County registered voters at a county-wide public referendum, the question to be placed on the ballot at the next regular general or primary election following Planning Commission and County Commission approval. Construction or site-disturbing activities shall not commence until certified passage of the referendum. The applicant shall bear the reasonable cost of placing the referendum question on the ballot;

v. Enhanced Environmental Review, including third-party (independent of the applicant) studies addressing groundwater impact, surface water impact, air

quality and emissions, noise, light pollution, viewshed/visual impact, archaeological/historical resources, threatened and endangered species, ground temperature and proximity air temperature increases, and cumulative impact assessment for any other Hyperscale or Large data center within ten (10) miles. The county may select the third-party reviewers from a list of qualified consultants, with the applicant bearing the cost. The reports shall be made publicly available no fewer than sixty (60) days prior to the public referendum;

vi. An executed Community Benefits Agreement with Camden County addressing, at minimum: workforce participation and local hiring commitments, infrastructure contributions (roads, public safety, emergency services), payments in lieu of any services not directly compensated through standard taxation, host community impact mitigation funds, and end-of-life decommissioning surety; AND

vii. A Transmission Corridor Study identifying all proposed new electric transmission lines, substations, fiber optic corridors, water lines, and other linear infrastructure required to serve the facility, including impact analysis and mitigation for properties along proposed corridors.

c. **Stricter Substantive Requirements.** In addition to all requirements applicable to Large data centers under this Appendix, Hyperscale data centers shall comply with the following heightened standards as detailed in their respective sections:

i. Setbacks: 5,000 feet from the Lake of the Ozarks and any Class A waterway, 2,500 feet from residential, educational, hospital, recreational, agricultural, office/low impact commercial adjoining property lines and 1,000 feet from all other commercial or industrial adjoining property lines;

ii. Cooling water storage: 12- month worst-case dry-year coverage;

iii. Decommissioning surety: 35% contingency on engineer-certified estimate, mandatory greenfield restoration, third-party progress monitoring, and phased release;

iv. Fines and penalties: $100,000/day cure violation and $1,000,000/day post-revocation continued operation; AND

v. Probationary period following any CUP reinstatement: extended to three hundred sixty-five (365) days.

L-3: DATA CENTER ZONING DISTRICTS

Zoning Districts:

Micro sized data centers are a principal permitted use in all commercial, mixed, and industrial zoning districts. They are also an accessory use to commercial and industrial uses so long as they do not constitute a standalone IT facility.

Small sized data centers are allowed and require a Conditional Use Permit (CUP) in B-2, B-3, MU-2, and I-1. A Development Agreement is required in all approved zoning districts.

Medium sized data centers are allowed and require a Conditional Use Permit (CUP) in B-3 and I-1. A Development Agreement is required in all approved zoning districts.

Large sized data centers are allowed and require a Conditional Use Permit (CUP) in I-1. A Development Agreement is required in all approved zoning districts.

Hyperscale data centers are allowed only in I-1 and require all approvals specified in L-2 (4), including a Conditional Use Permit, a Development Agreement, supermajority votes by both the Planning Commission and the County Commission, a county-wide public referendum, Enhanced Environmental Review, an executed Community Benefits Agreement, and a Transmission Corridor Study.

L-4: POWER REQUIREMENTS

1. **Energy Consumption Modeling Report.** All small, medium, large, and Hyperscale data centers shall submit an Energy Consumption Modeling Report. The report shall include, at minimum:

    a. The maximum power consumption (Peak Demand, as defined in L-1) for the facility at full operational buildout, modeled at 100% rack utilization and worst-case ambient conditions for cooling;

    b. Annual energy consumption (in megawatt-hours) at full operational buildout;

    c. A load profile showing expected hourly demand variability over a representative annual cycle;

    d. Phased buildout projections, if construction will be staged, with Peak Demand at each phase;

    e. The basis (engineering calculations, vendor data, comparable facility benchmarks) for all reported figures;

    f. An agreement with the local electric provider to purchase any surplus generation from the data center operation, if on-site generation is required or planned for the facility, AND

g. Recertification of the Energy Consumption Modeling Report at each phase of buildout and not less than once every five (5) years for the life of the facility, with updated figures submitted to the County for compliance verification.

2. **Utility Capacity Certification, Level 1 (Required for Small, Medium, Large, and Hyperscale).**

   a. **Standard Certification.** Prior to issuance of any CUP, the applicant shall provide a written certification from the serving electric utility stating that the utility can supply the facility's full Peak Demand WITHOUT (i) requiring rate increases on residential or existing commercial customers attributable to the data center load, (ii) causing service degradation or reliability impairment to residential or existing commercial customers, or (iii) requiring deferral of utility infrastructure investment otherwise planned for residential or existing commercial service.

   b. **Excess Capacity Certification.** A utility may, in addition to (a), certify that it possesses sufficient excess generation, transmission, and distribution capacity to serve the facility WITHOUT requiring construction of new utility infrastructure attributable to the data center load. An Excess Capacity Certification still requires compliance with the off-site additionality pathway in L-4.4(b) below.

   c. **Form of Certification.** Certifications shall be on the utility's letterhead, signed by an officer of the utility with authority to bind the utility, and shall reference specific engineering and capacity-planning analyses supporting the certification. A "letter of intent" or "tentative agreement" is NOT sufficient for certification under this section.

   d. **Failure to Certify.** If the utility cannot or will not provide Standard Certification, the applicant shall not be granted a CUP unless the applicant proposes a power supply plan satisfying L-4.4 entirely through on-site generation and Layer 2 additionality, demonstrating that the facility can operate without burdening utility infrastructure serving residential or existing commercial customers.

3. **Level 2 – Additionality Requirement (Required for Medium, Large, and Hyperscale).**

   a. **Generation Additionality.** The applicant shall demonstrate that new electrical generation capacity equal to or greater than the facility's Peak Demand has been or will be added to the Missouri electrical grid contemporaneously with the construction of the facility, attributable to the facility's load.

   b. **Methods of Compliance.** Additionality may be satisfied through any combination of:

i. Direct investment in new utility-scale generation through ownership stake, financing, or capacity contracts;

ii. On-site generation constructed at the facility (which simultaneously counts toward L-4.4 Level 3); or

iii. Funded contribution to a Camden County-managed Generation Capacity Fund used for procurement of new utility-scale generation serving Camden County, in amount certified by the County's energy consultant as sufficient to fund the proportionate share of new generation capacity equal to Peak Demand (pending fund and program availability).

c. **Missouri-Only Restriction.** Generation counted toward Additionality must be physically located within the State of Missouri. Out-of-state generation, including renewable energy credits (RECs) sourced from out-of-state generators, shall not satisfy the requirement. In-state renewable energy credits (RECs) shall not satisfy the requirement.

d. **Verification.** Additionality compliance shall be verified annually by an independent third-party consultant selected by the County and paid for by the applicant.

4. **Level 3 – Tiered On-Site Generation (Required for Medium, Large, and Hyperscale)**

a. **Default On-Site Requirement.** Unless an Excess Capacity Certification has been issued under L-4.2(b), the applicant shall construct and operate on-site generation capable of serving a minimum percentage of Peak Demand, scaled by tier, as follows:

i. Medium: not less than one hundred percent (100%) of Peak Demand;

ii. Large: not less than one hundred ten percent (110%) of Peak Demand;

iii. Hyperscale: not less than one hundred twenty-five percent (125%) of Peak Demand.

On-site generation under this subsection shall be capable of (1) operating in island mode independent of the utility grid, (2) carrying the facility's IT load and supporting infrastructure during a grid outage, and (3) ramping up and down in coordination with utility supply during normal operations. An agreement with the local electric provider to purchase any surplus generation from the data center operation is required as part of the Energy Consumption Modeling Report and is a condition of approval for the CUP.

b. **Backup Generation.** All Small, Medium, Large, and Hyperscale data centers shall maintain backup generation capable of supporting orderly shutdown of all IT load and life-safety systems. The duration, fuel type, fuel storage capacity, refueling logistics, and operating profile of backup generation shall be disclosed in the Power Generation Report under L-4.6 and shall comply with all applicable federal, Missouri DNR, NFPA, and County fire code requirements. On-site fuel storage in excess of twenty-five thousand (25,000) gallons shall

require additional review and approval by the jurisdictional Fire Marshal and shall be subject to the secondary containment, spill prevention, and surface water setback requirements of L-7.

5. **Level 4 – Emissions, Fuel, and Storage Standards for On-Site Generation.**

   a. **Emissions Standards (Prime Power).** All on-site power generation built to satisfy L-4.4 Level 3 shall meet or exceed the U.S. EPA New Source Performance Standards (NSPS) for stationary combustion sources applicable at the time of construction, plus any additional Best Available Control technology (BACT) requirements applicable under Federal, Missouri DNR, or local air quality programs.

   b. **Emissions Standards (Backup).** Backup generators shall meet or exceed Tier 4 Final emission standards as currently provided in L-7.4(b).

   c. **Fuel Restrictions.** New coal-fired prime power generation is prohibited as per current federal emission rules (but may be instituted if these rules are modified to make this option feasible). All other fuels (including natural gas, distillate oil, biomass, and renewable natural gas) are permitted subject to compliance with the emissions standards in subsection (a). Coal carries a special permitting restriction or preference under this Appendix; natural gas and renewable natural gas plants are required to be "hydrogen-ready" at the time of construction; biomass and renewable natural gas (RNG) are treated as conventional fuels for purposes of this Appendix and do not receive renewable or carbon-offset treatment.

   d. **Small Modular Reactors and Microreactors (SMRs).** Small Modular Reactors and microreactors licensed by the U.S. Nuclear Regulatory Commission (NRC) are recognized as a permitted on-site prime power generation technology and may be used to satisfy the on-site generation requirement of L-4.4 and the additionality requirement of L-4.3.

      i. **Federal Preemption Acknowledged.** Pursuant to the Atomic Energy Act of 1954 and applicable federal law, the U.S. Nuclear Regulatory Commission has exclusive jurisdiction over the radiological safety, design certification, licensing, operation, security, and decommissioning of commercial nuclear facilities. Nothing in this Appendix shall be construed to regulate any matter within NRC jurisdiction. Conditions imposed by Camden County under this Appendix shall be limited to non-radiological land-use, zoning, infrastructure, traffic, host-community impact, and decommissioning surety matters within County authority.

      ii. **NRC Licensing Required.** No SMR or microreactor shall commence construction within Camden County without a valid NRC construction permit or combined license. Operation requires the applicable NRC operating license. Documentation of NRC licensing status shall be provided as part of the CUP application and Development Agreement and shall be maintained throughout the operating life of the facility.

iii. **Local Conditions.** SMRs and microreactors built to satisfy L-4.4 are subject to all standard CUP, Development Agreement, setback, fire/safety, transportation, and infrastructure provisions applicable to the data center tier under which they are sited. Additional non-radiological local conditions may include, without limitation: transportation routing for fuel and waste shipments; coordination with County emergency management for non-radiological response; and local infrastructure contributions for road and utility upgrades supporting reactor construction.

iv. **Subsection (a) Emissions Standards Inapplicable.** SMRs and microreactors are not combustion sources and are therefore not subject to subsection (a) emissions standards. Air, thermal, and water discharge limits applicable to the reactor under NRC and state regulatory regimes apply in lieu of subsection (a).

v. **Cooling Compliance.** SMRs and microreactors shall comply with the Cooling Technology Hierarchy of L-5.2. Most SMR and microreactor designs qualify as Tier 1 (water-light) or Tier 2 (closed-loop) under L-5.2. Designs requiring evaporative cooling are prohibited.

vi. **Decommissioning.** Decommissioning surety required by L-10 shall be in addition to, and not in lieu of, NRC-required decommissioning trust funding. The County's decommissioning surety addresses non-radiological site restoration (foundations, supporting structures, transmission infrastructure, civil works); NRC-required funding addresses radiological decontamination and fuel disposition.

e. **Renewable Content.** No minimum renewable content is required by this Appendix. Operators may, at their discretion, satisfy any portion of their generation, additionality, or storage (subsection (f)) obligations through renewable resources.

f. **Energy Storage Minimum.** All Medium, Large, and Hyperscale data centers shall install or contract for not less than four (4) hours of battery energy storage capacity, measured at the facility's full Peak Demand. Storage may be located on-site at the facility OR contracted via dedicated capacity at a battery storage facility located within the State of Missouri. Storage shall be capable of (i) discharging at full Peak Demand for the required duration, (ii) participating in peak-shaving operations during high-demand periods on the local utility grid (where market access permits), and (iii) supporting facility ride-though during short-duration grid disturbances independent of L-4.4 (b) backup generation.

g. **No Open-Loop Cooling for Power Generation.** Any on-site generation requiring cooling water shall use closed-loop systems consistent with the facility-wide cooling restrictions in L-5. Once-through or evaporative cooling for power generation is prohibited.

6. **Power Generation Report.**

A Power Generation Report is required for any Medium, Large, or Hyperscale data center prior to issuance of a CUP. The Power Generation Report shall, at a minimum:

a. Identify the proposed compliance pathway under L-4.4 (default on-site or off-site substitution under Excess Capacity Certification);

b. For on-site generation: identify generation type, fuel, generating capacity (MW), expected operating hours, fuel storage and delivery, water demand/cooling system type, emissions modeling, noise modeling, and visual/screening plan;

c. For additionality (L-4.3): identify the specific generation projects, Power Purchase Agreements, or fund contributions; provide executed term sheets or contracts; and identify the in-service dates of contributing generation;

d. Provide a storage compliance plan under L-4.5;

e. Provide a phased compliance schedule keyed to facility buildout; AND

f. Be approved by the Camden County Planning Commission as a condition of CUP issuance and incorporated by reference into the Development Agreement.

7. **Compliance Timeline.**

a. **Pre-Operation.** Level 1 certification (L-4.2) and an executed Power Generation Report (L-4.6) shall be in place prior to CUP issuance. No site-disturbing or construction activity is authorized prior to CUP issuance.

b. **Phased implementation.** On-site generation under L-4.4 and additionality under L-4.3 shall be in service no later than the date the facility's IT load first exceeds twenty-five percent (25%) of Peak Demand, but in no event later than three (3) years from commencement of facility operations. The Power Generation Report shall include a phased build-out schedule that aligns generation/additionality milestones with IT load milestones.

c. **Annual Compliance Reporting.** Beginning one (1) year after commencement of facility operations and annually thereafter, the operator shall file an annual Power Compliance report with the County demonstrating ongoing compliance with L-4.2 through L-4.5. The annual report shall be subject to third-party verification at the operator's expense.

d. **Non-Compliance.** Failure to satisfy any L-4 requirement during the compliance timeline is a violation subject to L-8 fines and penalties, including potential CUP revocation.

L-5: COOLING WATER REQUIREMENTS

1. **Water Consumption Modeling Report.** All data centers, regardless of size, shall submit a Water Consumption Modeling Report. The report shall include, at minimum:

    a. The proposed cooling technology or combination of technologies, classified per the Cooling Technology Hierarchy in L-5.2;

    b. Annual cooling water demand at full operational buildout, in gallons, broken down by month to reflect seasonal cooling load variability;

    c. Annual makeup water demand at full operational buildout, in gallons, broken down by month;

    d. Identification of all water sources to be used (rainwater capture, treated reuse, municipal connection for potable use only, etc.);

    e. Annual water budget reconciliation showing how captured/contracted water sources will meet projected cooling and makeup demand on a month-by-month basis, including worst-case dry-year scenarios using the most recent thirty (30) years of National Weather Service precipitation data for the Camden County area;

    f. Discharge volume projections, with proposed treatment and disposal pathway per L-6;

    g. Recertification of the Water Consumption Modeling Report at each phase of buildout, upon any change in cooling technology, and not less than once every five (5) years for the life of the facility.

2. **Cooling Technology Hierarchy.** Cooling technologies for data centers are classified into three tiers reflecting relative water-use intensity. The Cooling Technology Hierarchy applies for purposes of permit review and water budget compliance verification; it does not by itself prohibit or mandate any specific technology, except where expressly stated.

    Tier 1 – Preferred (Water-Light Technologies). The following technologies are recognized as having minimal water-use impact and shall receive expedited review of the water-related portions of any CUP application:

    a. Air-side economization (free cooling using ambient air, supplemented by mechanical cooling only as needed);

    b. Direct-to-chip liquid cooling using sealed coolant loops;

    c. Two-phase or single-phase immersion cooling using dielectric fluids in sealed systems;

d. Other emerging technologies certified by the applicant's engineer of record as water-light (defined as projected annual cooling water demand of less than five (5) gallons per square foot of Server Square Footage).

Tier 2 – Standard (Permitted Without Water Budget Restriction). The following technologies are permitted subject to the water source restrictions in L-5.3 and discharge requirements in L-5.5:

a. Closed-loop water cooling using mechanical chillers and dry coolers;

b. Cooling loops submerged in facility constructed impoundments. Cooling coils from closed loop cooling systems are prohibited from being placed in any perennial/classified stream or public lake or pond, including the Lake of the Ozarks. Lakes, ponds, and impoundments created by a data center project for the purpose of submersing coils for the cooling system may only be utilized when the surface water temperature of said lake, pond, or impoundment is no greater than 100.00 degrees Fahrenheit.

c. Hybrid systems combining Tier 1 and Tier 2 technologies.

Tier 3 – Prohibited. The following are prohibited regardless of facility size or water budget:

a. Adiabatic cooling (hybrid systems using evaporative cooling only during peak ambient temperature periods);

b. Evaporative chillers and cooling towers, of any type.

c. Closed-loop and/or open-loop ground-source heat exchange (sealed loop geothermal) and/or geothermal systems involving withdrawal of groundwater for cooling;

d. Direct withdrawal of water from the Lake of the Ozarks, the Osage River, the Niangua River, or any other classified stream, lake, river, or natural waterbody for cooling purposes;

e. Once-through cooling systems of any type;

f. Cooling systems that discharge cooling water to surface waters, groundwater, or via subsurface infiltration. (Discharge requirements addressed in L-6.)

3. **Water Source Restrictions.**

a. **Permitted Sources.** Cooling water and makeup water for the cooling system of a data center may be obtained only from the following sources:

i. Captured rainwater from on-site impervious surfaces (roofs, parking, driveways), stored in compliance with L-5.4;

ii. Treated cooling system blowdown or other on-site reuse water meeting the treatment standards of L-6;

iii. Reclaimed water from a municipal or other publicly permitted wastewater or industrial wastewater reclamation system, where available; AND

iv. Municipal or public utility metered potable water connection, ONLY under a formal Drought Exception per L-5.6.

b. **Prohibited Sources.** The following sources may not be used for cooling water or makeup water under any circumstance:

i. Privately drilled water wells located on the data center site;

ii. Direct withdrawal from the Lake of the Ozarks or its tributaries (this prohibition is absolute and is not subject to drought exception);

iii. Hauled water deliveries (other than the initial system charge approved through the CUP); AND

iv. Any source not expressly permitted in subsection (a).

4. **Water Storage Requirements.**

a. **Sizing Basis.** Water storage capacity for cooling and makeup water shall be sized based on the actual cooling water demand projected in the Water Consumption Modeling Report under L-5.1.

b. **Minimum Coverage.** Storage capacity shall be sufficient to meet the facility's full cooling and makeup water demand for not less than twelve (12) months of operation under worst-case dry-year precipitation conditions, as modeled using the most recent thirty (30) years of National Weather Service precipitation data for the Camden County area, without invoking the Drought Exception of L-5.6.

c. **Storage Construction.** All storage shall be in enclosed, secure tanks or vaults (above-ground or below-ground) constructed of concrete, lined steel, or other approved water-tight materials. Storage facilities shall be sited within the property setback envelope, secured against unauthorized access, and equipped with overflow management to prevent uncontrolled discharge during wet-year accumulation.

d. **Recertification Upon Capacity Change.** Any change in cooling technology, IT load, or facility footprint that increases projected water demand by more than ten percent (10%) shall trigger recertification of the Water Consumption Modeling Report and, if necessary, expansion of storage capacity to meet the L-5.4(b) coverage standard.

5. **Discharge Standards and Cooling Water Cap.**

a. **Monthly Discharge Cap.** Cooling system discharge – including blowdown, flushing, makeup-water purge, and any other non-domestic water discharge from cooling system operation – shall not exceed fifteen percent (15%) of the facility's monthly cooling water demand in any calendar month, as projected in the Water Consumption Modeling Report under L-5.1 and verified by metered measurement.

b. **Monitoring and Reporting.** All cooling system discharge shall be measured by calibrated flowmeters at points of discharge from the cooling system. Monthly discharge volumes shall be reported to the County in the annual compliance report, with monthly granularity. Exceedances of the discharge cap shall be reported to the County within seventy-two (72) hours of identification.

c. **Treatment and Disposal.** All cooling system discharge is industrial wastewater and shall be treated and disposed of in accordance with L-6 (Waste Disposal Requirements). Surface discharge, subsurface infiltration, and discharge to any classified water of the State are prohibited regardless of treatment level.

6. **Drought Exception.**

a. **Trigger.** The Drought Exception authorizes a Medium, Large, or Hyperscale data center to draw cooling makeup water from a metered municipal or public utility water connection only when the Missouri Drought Assessment Committee, or its successor agency, has formally declared a U.S. Drought Monitor classification of D2 (Severe Drought), D3 (Extreme Drought), or D4 (Exceptional Drought) for the geographic area encompassing Camden County. The Lake of the Ozarks withdrawal prohibition under L-5.3(b) is absolute and is NOT subject to Drought Exception under any circumstance.

b. **Application Required.** A facility seeking to invoke the Drought Exception shall file a written Drought Exception Application with Camden County including: (i) certification of the active D2+ drought declaration; (ii) the facility's current storage levels, projected demand, and projected exhaustion date; (iii) the volume of municipal water requested; (iv) demonstrated good-faith effort to reduce non-essential water demand prior to invocation; and (v) acknowledgment of the escalating fees in subsection (d). The Application shall be reviewed and acted upon withing seven (7) calendar days.

c. **Annual Cap.** The Drought Exception may be invoked for no more than one hundred eighty (180) days within any calendar year, measured cumulatively across all separate invocations.

Once the cap is reached, no further municipal water draws are permitted in that calendar year regardless of continued drought conditions; the facility must reduce operations or implement alternative measures.

d. **Escalating Fees.** Municipal water drawn under the Drought Exception shall be billed to the facility at the following multiples of the standard published municipal water rate:

i. Days 1 through 30 (cumulative within calendar year): two (2) times the standard rate;

ii. Days 31 through 90 (cumulative within calendar year): four (4) times the standard rate;

iii. Days 91 through 180 (cumulative within calendar year): eight (8) times the standard rate.

Fees collected in excess of the standard rate shall be deposited in a Camden County Water Resources Fund used for water conservation, infrastructure, and drought mitigation purposes. Fees are in addition to any standard water connection charges and are not refundable.

e. **Public Reporting.** The County shall publish, on a quarterly basis, a public report including: each Drought Exception invocation, the facility involved, the volume of municipal water drawn, the duration of invocation, the fees paid, the cumulative annual usage by the facility, and the underlying drought declaration status. Reports shall be posted on the Camden County website and made available to the public on request.

f. **Termination of Exception.** The Drought Exception terminates automatically upon (i) Missouri Drought Assessment Committee downgrading the area below D2, (ii) reaching the 180-day annual cap, (iii) the facility's storage levels recovering to seventy-five percent (75%) of capacity, or (iv) revocation by the County for non-compliance with this section or any other provision of this Appendix.

g. **No Hauled Water Substitution.** A facility may not substitute hauled water deliveries for the Drought Exception. The Drought Exception is the exclusive pathway for non-rainwater, non-reuse cooling water during drought conditions.

7. **Potable Water for Human Use.** All potable water for human use and consumption (drinking, hand washing, toilet flushing, kitchen, showers) shall be obtained through a metered municipal or publicly owned utility connection. Potable water connections shall be monitored for appropriate use volumes. Use volumes shall be governed by Missouri Department of Health and Senior Services rules, "Missouri Laws Accompanied by Department of Health and Senior Services Rules," Table 2A; for purposes of this Appendix, all data centers shall be classified as "Warehouses" and allowed thirty (30) gallons of water per employee per shift.

L-6: WASTE DISPOSAL REQUIREMENTS

1. **Waste Discharge Modeling Report.** All Small, Medium, Large, and Hyperscale data centers shall submit a Waste Discharge Modeling Report. The report shall include, at minimum:

    a. Identification and projected annual volumes of all domestic waste streams;

    b. Identification and projected annual volumes of all industrial waste streams, including but not limited to cooling system blowdown, makeup-water purge, equipment cleaning waste, and laboratory waste;

    c. Identification and projected annual quantities of all hazardous materials and hazardous waste streams, including but not limited to electrolytes, refrigerants, halogenated fire suppression agents, transformer and generator oils, lubricants, and any PFAS-containing materials;

    d. Projected annual quantities and types of electronic waste from server, storage, and networking equipment refresh cycles;

    e. Identification of all proposed waste handling, treatment, and disposal facilities, including each facility's regulatory permits and licenses;

    f. Description of on-site storage facilities for all waste streams, including capacities, secondary containment, fire suppression, and security;

    g. Description of transportation methods, routes, and frequencies for waste shipments to off-site facilities; AND

    h. Recertification at each phase of buildout, upon any change in waste streams or disposal methods, and not less than once every five(5) years for the life of the facility.

2. **Domestic Waste.** All domestic waste from the facility (hand washing, toilet flushing, washing machine discharges, safety and other showers, etc.) must discharge to an appropriately sized facility approved and permitted by the Camden County Wastewater Department or the Missouri Department of Natural resources (MDNR).

3. **Industrial Waste from Cooling Systems.** Cooling system water discharges and any other water discharge from non-domestic uses will be considered industrial waste. These flows are required to be routed to an approved facility, such as an industrial evaporator or other approved technology. All collection facilities for these flows must be into concrete, water-tight basins, tanks, or other approved structures or tanks meeting the same requirements. None of these flows

may be surface discharged or subsurface discharged after treatment. These flows may also be collected and hauled to an approved industrial waste treatment facility licensed by the Missouri Department of Natural Resources.

Industrial waste volumes shall comply with the discharge cap in L-5.5(a) (fifteen percent of monthly cooling water demand).

4. **Hazardous Materials and Hazardous Waste.**

   a. **Inventory and Reporting.** All hazardous materials stored on-site and all hazardous waste streams generated shall be inventoried, reported in the Waste Discharge Modeling Report (L-6.1), and reported to the Camden County Emergency Management Agency in compliance with EPCRA Tier II reporting requirements regardless of facility size.

   b. **Battery Electrolytes and Battery Waste.** Battery storage systems (UPS, energy storage under L-4.5(e), backup power) shall include written end-of-life management plans for battery cells, modules, and electrolytes. Lithium-ion batteries shall be managed in compliance with applicable EPA universal waste rules and Missouri DNR requirements. Storage and handling shall include thermal runaway suppression and containment per NFPA 855.

   c. **Refrigerants.** All refrigerants shall be managed in compliance with EPA Section 608, the AIM Act of 2020 and its implementing rules, and Missouri DNR requirements. Refrigerant inventory and any release events of one (1) pound or more shall be reported to the County within seventy-two (72) hours.

   d. **Halogenated Fire Suppression Agents.** Halogenated agents (FM-200, Novec 1230, and similar) shall be managed in compliance with EPA Significant New Alternatives Policy (SNAP) and applicable state and federal rules.

   e. **PFAS.** Use, storage, or disposal of PFAS-containing firefighting foams (AFFF) is prohibited at all data centers regardless of size. Existing PFAS-containing materials, if any, shall be identified in the Waste Discharge Modeling Report and remediated per applicable EPA and Missouri DNR rules.

   f. **Petroleum Products.** Generator fuel, transformer oil, lubricants, and other petroleum products shall be stored and managed in compliance with EPA SPCC requirements, NFPA 30, and Camden County Fire Code. On-site fuel storage above twenty-five thousand (25,000) gallons triggers Fire Marshal review per L-4.4(b).

   g. **Disposal Records.** Records of all hazardous waste disposal – including waste type, quantity, transporter, destination facility, and manifest number – shall be maintained on-site for the life of the facility plus seven (7) years and provided to the County upon request.

5. **Electronic Waste.**

a. **Recycling Required.** All retired, replaced, or decommissioned servers, storage equipment, networking equipment, batteries, power distribution units, and similar electronic equipment shall be transferred to a recycler certified under R2 (Responsible Recycling) or e-Stewards standards, or to a Missouri DNR-permitted electronics recycling facility. Disposal of electronic equipment to Camden County or other municipal solid waste facilities is prohibited.

b. **Annual Reporting.** Operators shall report annually to the County the total weight of electronic waste generated during the prior calendar year, the receiving recyclers, and the certification status of each recycler.

c. **Data Sanitization.** Electronic equipment containing data storage media shall be sanitized in compliance with NIST SP 800-88 prior to transfer for recycling, with records of sanitization maintained for the life of the facility plus seven (7) years.

6. **Industrial Evaporator Emissions.** Where a facility uses an industrial evaporator for treatment of cooling system discharge under L-6.3, the evaporator shall comply with the U.S. EPA New Source Performance Standards (NSPS) and Missouri DNR air permitting requirements applicable at the time of construction. Evaporator vapor emissions shall be reported in the annual compliance report (L-6.7), with measurement methods specified in the Waste Discharge Modeling Report (L-6.1). Evaporators emitting in excess of permit thresholds for any regulated air pollutant shall trigger immediate notification of Missouri DNR and the County.

7. **Reporting and Recertification.**

a. **Annual Compliance Report.** Operators shall file an annual Waste Compliance Report with the County by March 31 of each year, covering the prior calendar year. The report shall include actual quantities of all waste streams identified in L-6.1, identification of all receiving facilities, copies of relevant manifests and shipment records, refrigerant inventory and release events, e-waste totals and recycler certifications, and any deviations from the most recent Waste Discharge Modeling Report.

b. **Third-Party Verification.** For Medium, Large, and Hyperscale facilities, the annual Waste Compliance Report shall be subject to third-party verification by a qualified environmental engineering or auditing firm selected by the County and paid for by the operator.

c. **Recertification.** The Waste Discharge Modeling Report (L-6.1) shall be recertified at each phase of buildout, upon any material change in waste streams, and not less than once every five (5) years.

d. **Public Disclosure.** Annual Waste Compliance Reports shall be made available to the public on request and posted in summary form on the Camden County website.

L-7: NOISE RESTRICTIONS, ELECTROMAGNETIC FIELDS, MAGNETIC FIELDS, ELECTROMAGNETIC RADIATION, ELECTRIC FIELDS, RADIOFREQUENCY RADIATION, SCREENING, LIGHTING, AND SETBACKS

1. **Noise, Vibration, and Electromagnetic Field Modeling Report.** All Small, Medium, Large, and Hyperscale data centers are required to submit a Noise, Vibration, and Electromagnetic Field Modeling Report to assess the impact of the sound, vibration, and potential health hazards created by the operation. The report shall include modeled sound, vibration, electromagnetic field levels, electromagnetic radiation levels, magnetic field levels, electric field levels, and radiofrequency radiation levels at all adjoining property lines; identification of all sound, vibration, and electromagnetic/magnetic/electric/radiofrequency field/radiation producing equipment, proposed mitigation measures, and projected day-night sound profiles. The report shall be recertified upon any material change in equipment or operations and not less than every five (5) years.

2. **Noise Standard.** Operational noise from any data center, regardless of size, shall comply with the following limits, measured at the receiving property line as A-weighted equivalent continuous sound levels (Leq):

    a. At property lines adjoining any residential, educational, hospital, agricultural, or recreational use:

        i. Daytime (7:00 AM to 9:00 PM): Sixty-five (65) dBA Leq;

        ii. Nighttime (9:00 PM to 7:00 AM): Fifty-five (55) dBA Leq.

    b. At all other property lines (industrial-to-industrial, commercial-to-industrial, etc.):

        i. Daytime (7:00 AM to 9:00 PM): Seventy (70) dBA Leq;

        ii. Nighttime (9:00 PM to 7:00 AM): Sixty-five (65) dBA Leq.

    c. **Measurement.** Sound levels shall be measured using ANSI Type 2 or better sound level meters, A-weighted, with measurement methodology following ANSI S12.9 or equivalent. Measurements shall be taken at the receiving property line.

3. **Vibration Standard.** Operational vibration from any data center, regardless of size, shall comply with the following limits, measured at the receiving property line:

a. Vibration. Maximum ground-borne vibration shall not exceed 1.5 mm/s (one and one-half millimeters per second) measured at any adjoining property line of a residential, educational, hospital, agricultural, light commercial, or recreational use.

b. Measurement. Vibration levels shall be measured using a geophone or accelerometer capable of detecting vibration levels in accordance with ISO 8041. Measurements will assess the Peak Particle Velocity (PPV) as the measured regulated phenomenon.

4. **Electromagnetic Field (EMF) Standard.** Operational electromagnetic fields (EMFs) from any data center, regardless of size, shall comply with the following limits:

   a. **Scope.** This section only addresses the intensity and limitations of EMFs affecting areas outside of data center structures and surrounding properties. Mediation and control of EMFs inside the data center is the responsibility of the operator.

   b. **Assessment.** Prior to commencing operations, the operator shall be required to complete an electromagnetic field map of the facility, identifying the frequencies and intensities of all measurable fields and affiliated radiation on the site.

   c. **Electromagnetic Radiation, Magnetic Fields, Electric Fields, and Radiofrequency Radiation.** Maximum electromagnetic radiation, across all frequencies, shall not exceed 0.08 microteslas. Maximum Magnetic Field strength shall not exceed 0.5 milligauss. Maximum Electric Field strength shall not exceed 10 volts per meter. Maximum Radiofrequency radiation shall not exceed 0.1 microwatts per square centimeter. Measurements shall be taken at the receiving property line.

   d. **Measurement.** Instrumentation calibration and field/radiation measuring shall be governed by IEEE C95.1 and IEC 61786 using appropriate equipment.

5. **Chiller Setbacks and Screening.** All data centers, regardless of size, which utilize chillers for cooling must meet the following setbacks from any residential, educational, hospital, office/low impact commercial, or recreational use. Setbacks from any general commercial, high impact commercial, or industrial use shall be three fourths (3/4) the stated distance:

   a. One thousand foot (1000') separation requirement for ground mounted chillers.

   b. One thousand five hundred foot (1500') separation for roof mounted chillers.

All data centers, regardless of size, which utilize chillers for cooling must meet the following screening requirements for chillers:

   a. Sound attenuation is required for all ground mounted chillers capable of a minimum noise reduction of 12 dBA Leq.

b. Sound attenuation screen or parapet for all roof mounted chillers capable of a minimum noise reduction of 12 dBA Leq.

6. **Generator Setbacks and Standards.** All data centers, regardless of size, which utilize generators for backup power, must meet the following requirements:

   a. Roof mounted generators are prohibited.

   b. All generators must meet or exceed Tier 4 Final emission standards.

   c. One thousand foot (1000') separation requirement from residential, educational, hospital, office/low impact commercial, or recreational use. Setbacks from any general commercial, high impact commercial, or industrial use shall be three fourths (3/4) the stated distance.

   d. All ground mounted generators are required to have sound attenuation installed capable of a minimum noise reduction of 12 dBA Leq.

7. **Visual Screening, Viewshed Preservation.** All data centers, regardless of size, are required to provide a land clearing/vegetation removal site plan identifying all land disturbance activities proposed on the site prior to issuance of a CUP. This plan will be a binding requirement of the CUP and the Development Agreement. The intent is that only the required vegetation shall be removed to facilitate the construction of the facility, roadways, utility facilities, and other accessory structures, preserving as much of the natural cover as possible. Under no circumstances shall a parcel be prepared in such a way that all native/existing vegetation is removed or "clear-cut".

8. **Building Height.** All data centers, regardless of size, have a maximum overall height of forty (40) feet tall. This measurement is from the lowest adjacent grade of any foundation, even if it is below operating floor level, to the top of any roof top parapet, mansard, or screening structure. Rooftop screening structures should be the same height or higher than any roof mounted equipment.

9. **Property Line and Waterway Setbacks.** Property line setbacks for data centers shall be as follows. The setbacks in this subsection are in addition to any setback requirements of the underlying zoning district. No structures other than roadways, septic fields and associated structures for domestic wastewater discharge/treatment, perimeter fences, stormwater management infrastructure, or rainwater capture infrastructure are allowed in the setbacks.

   a. Property lines adjoining any residential, educational, hospital, office/low impact commercial, agricultural, or recreational use and waterway setbacks:

i. Micro (standalone facility): 500 ft. from any property line; 1,500 ft. from the Lake of the Ozarks or any classified stream, lake, or river. (Micro-sized data centers employed as an accessory use are subject to the zoning district setbacks in which they are located).

ii. Small: 500 ft. from any property line; 3,000 ft. from the Lake of the Ozarks; 1,500 ft. from any classified stream, lake, or river.

iii. Medium: 1,500 ft. from any property line; 4,000 ft. from the Lake of the Ozarks; 2,000 ft. from any classified stream, lake, or river.

iv. Large: 2,500 ft. from any property line; 5,000 ft. from the Lake of the Ozarks; 2,500 ft. from any classified stream, lake, or river.

v. Hyperscale: 3,000 ft. from any property line; 5,000 ft. from the Lake of the Ozarks; 2,500 ft. from any classified stream, lake, or river.

Property line setbacks for data centers from residential, educational, hospital, office/low impact commercial, agricultural, or recreational use are absolute. These setbacks may not be diminished in any way through the use of small sized general commercial, high impact commercial, or industrial use lots as buffers. Buffer lots of higher density must be of sufficient size to provide the listed minimum setback requirements found L-7.7(a) in this section.

b. Property lines adjoining any general commercial, high impact commercial, or industrial use and waterway setbacks:

i. Micro: Zoning district setback applies for property lines; 1,500 ft. from the Lake of the Ozarks or any classified stream, lake, or river.

ii. Small: 100 ft. from any property line; 3,000 ft. from the Lake of the Ozarks; 1,500 ft. from any classified stream, lake, or river.

iii. Medium: 300 ft. from any property line; 4,000 ft. from the Lake of the Ozarks; 2,000 ft. from any classified stream, lake, or river.

iv. Large: 500 ft. from any property line; 5,000 ft. from the Lake of the Ozarks; 2,500 ft. from any classified stream, lake, or river.

v. Hyperscale: 600 ft. from any property line; 5,000 ft. from the Lake of the Ozarks; 2,500 ft. from any classified stream, lake, or river.

Lot sizes for general commercial, high impact commercial and industrial uses that adjoin a data center use must be of sufficient size to provide the minimum setbacks to

residential, educational, hospital, office/low impact commercial, agricultural, or recreational uses found in section L-7.7(a).

c. Setbacks for chillers (L-7.5) and generators (L-7.6) apply in addition to property line setbacks.

10. **Parking and Driving Surfaces.** All small, medium, large, and Hyperscale sized data centers are required to provide parking and driving surfaces that meet the standards for a typical warehouse. The minimum width for all driveway areas is thirty-six feet (36'). The required number of parking spaces is one (1) space per 500 (five hundred) square feet of gross floor area.

11. **Outdoor Facility Lighting.** Outdoor facility lighting must meet the following requirements:

    a. All lighting mounted to facility structures must have a shield installed that directs the lighting downward. The shield must be installed so that the opening created by the shield for the emitted light is 90 (ninety) degrees to the pavement/ground surface below it.

    b. The maximum height of lighting mounted to facility structures shall be the structure wall height on which it is located. Lighting may not be located above this level on mansards, gables, parapets, or any roofing or screening structure. Roof top lighting may be installed for the purpose of maintenance and repairs and may only be in service during these operations.

    c. Parking lot lighting shall have a maximum height, which includes all structures and associated equipment, of 25 (Twenty-five) feet. All lighting must have a shield installed that directs the lighting downward. The shield must be installed so that the opening created by the shield for the emitted light is 90 (ninety) degrees to the pavement/ground surface below it.

L-8: FINES, PENALTIES, PERMIT/CONDITIONAL USE PERMIT REVOCATION, APPEALS, LEGAL FEES, AND SEVERABILITY

1. **Violation Categories.** Violations of this Appendix, the Conditional Use Permit, or the Development Agreement are classified into three categories based on the nature and severity of the violation:

a. **Administrative Violations.** Violations involving recordkeeping, reporting, registration, disclosure, or other procedural or documentation requirements that do not directly involve risk to health, safety, environment, or substantive operational compliance. Examples include: annual report not filed by deadline, third-party verification not completed on schedule, recordkeeping deficiencies, contact information not updated.

b. **Operational Violations.** Violations involving substantive operational compliance with this Appendix, the CUP, or the Development Agreement, that do not constitute an Environmental or Safety Violation. Examples include: noise standards exceeded under L-2 in non-emergency conditions, lighting standards exceeded under L-7.9, setback encroachments by ancillary structures, generator screening deficiencies, additionality compliance lapses, recoverable storage capacity below required levels.

c. **Environmental and Safety Violations.** Violations involving immediate or imminent risk to health, safety, environmental quality, or community welfare. Examples include: cooling system discharge to surface or subsurface waters in violation of L-5 or L-6; hazardous material release; PFAS use or release; cooling water draw from prohibited source; drought exception draws exceeding authorized limits; fuel storage in violation of fire code creating imminent hazard; operation without active CUP; refusal of County or State inspection access; falsification of compliance reports.

2. **Notice and Cure Periods.**

a. **Notice of Violation.** Upon determination by the County that a violation of this Appendix, the CUP, or the Development Agreement has occurred, the County shall issue a written Notice of Violation to the operator identifying: (i) the specific violation; (ii) the violation category under L-8.1; (iii) the corrective action required; (iv) the cure period under subsection (b) of this section; (v) the daily fine amount under L-8.3 if not cured; and (vi) the operator's right to appeal under L-8.6.

b. **Cure Periods by Category.**

i. **Administrative Violations: Thirty (30) calendar days** from issuance of the Notice of Violation. No fines accrue during the cure period for Administrative Violations. Fines begin accruing at the expiration of the cure period.

ii. **Operational Violations: Fourteen (14) calendar days** from issuance of the Notice of Violation. No fines shall accrue during the cure period for Operational Violations. Fines begin accruing at the expiration of the cure period.

iii. **Environmental and Safety Violations: Immediate.** No cure period applies. Fines under L-8.3 begin accruing as of the date the violation occurred or the date the County

identifies and documents the violation, whichever is later. The County may also seek immediate injunctive relief under L-8.5.

c. **Cure Period Extensions.** For Administrative and Operational Violations only, the County may grant a one-time extension of up to fifteen (15) calendar days for good cause shown, including supply chain delays, weather conditions, or comparable factors beyond the operator's reasonable control. No extension shall be granted for Environmental and Safety Violations.

3. **Fines.** Fines for violations not cured within the applicable cure period (or, for Environmental and Safety Violations, accruing immediately) are as follows. Each day a violation continues uncorrected constitutes a separate violation.

   a. **Daily Fines:**

      i. Micro: $1,000 per-day fine; $5,000 per-day fine for continued operation post-revocation.

      ii. Small: $5,000 per-day fine; $25,000 per-day fine for continued operation post-revocation.

      iii. Medium: $25,000 per-day fine; $125,000 per-day fine for continued operation post-revocation.

      iv. Large: $50,000 per-day fine; $500,000 per-day fine for continued operation post-revocation.

      v. Hyperscale: $100,000 per-day fine; $1,000,000 per-day fine for continued operation post-revocation.

   b. **Multiple Violations.** If a facility is in violation of multiple provisions simultaneously, daily fines apply for each provision violated, accruing concurrently. There is no daily cap on accumulated fines.

   c. **Mitigation.** The County may, in its discretion, reduce or waive fines accrued during the cure period or after the cure period if the operator (i) self-reports the violation prior to County identification; (ii) provides full cooperation with County investigation; and (iii) demonstrates that the violation resulted from circumstances beyond the operator's reasonable control. Mitigation is not available for Environmental and Safety Violations except in cases of natural disaster or comparable force majeure events.

4. **Permit Suspension and Revocation.**

   a. **Trigger for Suspension.** The CUP shall be suspended automatically upon the earlier of: (i) thirty (30) calendar days from issuance of an unappealed Notice of Violation that has not been cured; (ii) fifteen (15) calendar days from issuance of an unappealed Notice of an

Environmental or Safety Violation that has not been cured; or (iii) any final administrative or judicial determination that the CUP should be suspended or revoked.

b. **Effect of Suspension.** Upon suspension, the operator shall immediately cease all operations of the facility except those operations strictly necessary to (i) preserve life and safety, (ii) preserve data integrity and orderly shutdown of IT systems, and (iii) bring the facility back into compliance.

c. **Cease and Desist.** Concurrent with CUP suspension, a Cease and Desist order shall issue. Continued operation in violation of a Cease and Desist order triggers the post-revocation per-day fines in L-8.3(a) and may be the basis for criminal contempt proceedings.

d. **Reinstatement.** A suspended CUP may be reinstated only after: (i) the County conducts a compliance inspection and certifies that all violations have been cured; (ii) all accrued fines have been paid; (iii) the operator has executed any required additional conditions in the Development Agreement to prevent recurrence; and (iv) the operator enters the Probationary Period under L-8.7.

e. **Permanent Revocation.** The CUP may be permanently revoked, rather than suspended, if: (i) the operator has had three (3) or more CUP suspensions in any sixty (60) month period; (ii) any Environmental or Safety Violation results in significant injury to persons, property, or environmental quality; or (iii) the operator commits fraud or falsification in any compliance report, modeling report, or representation to the County.

5. **Immediate Injunctive Relief.** For any Environmental or Safety Violation, the County may, at its discretion and in addition to all other remedies, petition the Camden County Circuit Court for immediate injunctive relief, including but not limited to: (a) temporary restraining orders requiring immediate cessation of the violating activity; (b) preliminary injunctions during pendency of administrative or judicial proceedings; and (c) permanent injunctions. Petitions for immediate injunctive relief shall not be subject to the Notice and Cure provisions of L-8.2 or the Appeals provisions of L-8.6 prior to filing; the operator's right to be heard is preserved through the Court's process.

6. **Appeals.**

a. **Right to Appeal.** An operator may appeal any Notice of Violation, fine determination, or suspension or revocation of a CUP under this Appendix.

b. **Filing Deadline.** A written notice of appeal shall be filed with the Camden County Planning Commission within fourteen (14) calendar days of issuance of the underlying County determination. Failure to file within this period waives the right of administrative appeal but does not waive the right of judicial review under subsection (e).

c. **Stay of Fines During Appeal.** Filing a timely appeal stays the accrual of daily fines under L-8.3 for Administrative and Operational Violations during pendency of the appeal. Fines for Environmental and Safety Violations are not stayed by appeal; the operator's remedy is expedited hearing under subsection (d).

d. **Hearing.** The Planning Commission shall conduct a hearing on the appeal within thirty (30) calendar days of filing. The operator shall have the right to present evidence, examine witnesses, and be represented by counsel. The Planning Commission shall issue a written decision within fourteen (14) calendar days of the hearing.

e. **Judicial Review.** A decision of the Planning Commission may be appealed by the operator or the County to the Camden County Circuit Court within thirty (30) calendar days of the Planning Commission's written decision. Judicial review shall be on the administrative record under standard Missouri administrative review principles.

7. **Probationary Period After Reinstatement.**

a. **Duration.** Following reinstatement of a suspended CUP under L-8.4(d), the operator shall be subject to a Probationary Period of:

i. For Micro, Small, Medium, and Large data centers: one hundred eighty (180) calendar days;

ii. For Hyperscale data centers: three hundred sixty-five (365) calendar days.

b. **Probationary Period Standard.** During the Probationary Period, the operator shall demonstrate consistent compliance with this Appendix, the CUP, and the Development Agreement.

c. **Effect of Material Violations.** Any Operational Violation OR Environmental or Safety Violation occurring during the Probationary Period shall result in immediate CUP revocation and application of the maximum fines in L-8.3(a) for the relevant tier. Permanent revocation under L-8.4(e) may apply.

d. **Effect of Administrative Violations.** Administrative Violations occurring during the Probationary Period shall be addressed through the standard Notice and Cure process under L-8.2, but each such violation extends the remaining Probationary Period by an additional thirty (30) calendar days. Three (3) or more Administrative Violations during a single Probationary Period shall be deemed a Material Violation triggering subsection (c) of this section.

8. **Reimbursement of Legal Fees and Court Costs.** If any litigation or other court action, arbitration or similar adjudicatory proceeding is commenced by any party to dispute any provision, subsection, paragraph, sentence, clause, or word of this Appendix L, the party initiating

the challenge shall be responsible for the payment of all fees, costs and expenses, including, without limitation, reasonable attorneys fees and costs, incurred in such litigation, action, arbitration or proceeding. Camden County shall be considered the prevailing party of any litigation, action, arbitration or proceeding so long as any provision, subsection, paragraph, sentence, clause, or word of this Appendix L remains in force after the decision of the Court has been rendered.

9. **Severability.** If any provision, subsection, paragraph, sentence, clause, or word of this Appendix L is held to be unconstitutional, invalid, preempted by federal or state law, or otherwise unenforceable by any court of competent jurisdiction, the remaining provisions of this Appendix shall remain in full force and effect. The Camden County Planning Commission and County Commission hereby declare that they would have adopted the remaining provisions of this Appendix without the invalidated provision.

L-9: TAX TREATMENT, OWNERSHIP DISCLOSURE, AND FOREIGN OWNERSHIP RESTRICTIONS

1. **General Tax Treatment.** Except as expressly provided in this Section, data centers are not eligible for any County-administered tax incentive, abatement, freeze, exemption, or reduction. Standard County formulas for property taxation based on facility size, type, and improvements shall apply at full value.

2. **Prohibited Tax Tools.** The following tax tools shall NOT be available to any data center regardless of size:

    a. Property tax abatement, property tax level "freezing," or any other reduction or exclusion from the payment of full property tax assessed for the data center using standard County formulas.

    b. Special taxing districts, including but not limited to Transportation Development Districts (TDD), Neighborhood Improvement Districts (NID), Community Improvement Districts (CID), or substantially similar districts authorized under future legislation;

    c. Tax increment financing (TIF).

    d. Sales tax abatement or rebate by the County;

    e. Use tax abatement or rebate by the County.

3. **State Tax Exemption Acknowledgment.** The County acknowledges that Missouri's Data Center Sales and Utility Tax Exemption (RSMo §144.810) is a state-level program administered by the

Missouri Department of Economic Development, and that nothing in this Appendix shall be construed to prohibit a data center from claiming any state-level tax exemption for which it is eligible under state law. The County's prohibitions in L-9.2 apply only to County-administered tax tools and not to state-administered exemptions for which the State has exclusive authority.

4. **Ownership Disclosure.**

   a. **Disclosure at CUP Application.** As part of any CUP application for a Small, Medium, Large, or Hyperscale data center, the applicant shall disclose:

      i. The full legal name, jurisdiction of formation, and current good standing of the entity that will own the data center facility;

      ii. The full legal name, jurisdiction of formation, current good standing, and ownership relationship of every entity in any chain of ownership leading to the ultimate parent of the operating entity;

      iii. The identity of every individual or entity holding, directly or indirectly through any chain of holding companies, trusts, or comparable structures, a beneficial ownership interest of five percent (5%) or more in the operating entity or any parent entity in the chain;

      iv. The ultimate parent entity (the entity at the top of the ownership chain that is not itself owned or controlled by another entity) and the country of incorporation, organization, or principal place of business of the ultimate parent;

      v. Identification of every officer, director, or managing member of the operating entity and the ultimate parent entity.

   b. **Beneficial Ownership Definition.** "Beneficial ownership" shall be construed consistently with the federal Corporate Transparency Act, 31 U.S.C. §5336, and FinCEN beneficial ownership reporting rules.

   c. **Standing Disclosure Updates.** Any change in beneficial ownership of five percent (5%) or more, any change in ultimate parent, or any change in officers/directors/managing members shall be reported to the County in writing within thirty (30) calendar days of the change.

5. **Foreign Adversary Ownership Prohibition.**

   a. **Prohibition.** No data center within Camden County may be owned, in whole or in part directly or indirectly through any chain of ownership, by any of the following:

      i. Any government agency, or instrumentality of a country designated as a "foreign adversary" or "country of particular concern" by the U.S. Department of Commerce, U.S. Department of State, or U.S. Department of the Treasury at the time of CUP application

or at any time during operation. This designation currently includes the People's Republic of China (including Hong Kong), the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, and the Bolivarian Republic of Venezuela, but tracks current federal designations and is not limited to this list;

ii. Any entity owned or controlled (directly or indirectly through 5% or greater equity, voting interest, or comparable control) by any government, agency, or instrumentality identified in (i);

iii. Any individual or entity appearing on the U.S. Treasury Department Office of Foreign Assets Control (OFAC) Specially Designated Nationals (SDN) List, the Department of Commerce Bureau of Industry and Security (BIS) List, or comparable federal sanctions or restricted-party lists.

b. **CFIUS Compliance.** All applicants and operators shall certify, at CUP application and annually thereafter, full compliance with all applicable Committee of Foreign Investment in the United States (CFIUS) review requirements, including any mitigation agreements imposed by CFIUS. Operators shall notify the County in writing within thirty (30) days of: (i) initiation of any CFIUS proceeding involving the operator or its parent; (ii) any CFIUS mitigation agreement or determination, or (iii) any divestiture order issued by federal authorities.

c. **Mandatory Divestiture.** If any owner becomes subject to subsection (a) of this section (prohibitions) during operation (e.g., a country is newly designated as a foreign adversary, or an owner is newly added to a federal sanctions list), the operator shall divest the prohibited ownership within one hundred eighty (180) days. Failure to divest is an Environmental and Safety Violation under L-8.1(c) for purposes of immediate injunction and revocation.

L-10 DECOMMISSIONING AND SITE RESTORATION

1. **Decommissioning Plan Required.** Every Small, Medium, Large, and Hyperscale data center shall, as part of the CUP application and as a condition of CUP issuance, submit a written Decommissioning Plan addressing the matters in L-10.5 (Decommissioning Activities) and L-10.6 (Restoration Standards). The Decommissioning Plan shall be incorporated by reference into the Development Agreement and shall be recertified at each phase of buildout, upon any material change in facility operations or footprint, and not less than once every five (5) years for the life of the facility.

2. **Decommissioning Surety.**

   a. **Required Forms.** Each Small, Medium, Large, and Hyperscale data center shall maintain, throughout the life of the facility, decommissioning surety in BOTH of the following forms:

i. An irrevocable performance bond issued by a surety company licensed to do business in Missouri and rated A or better by A.M. Best or comparable rating agency, in an amount equal to fifty percent (50%) of the Surety Amount under L-10.3; AND

ii. An irrevocable standby letter of credit issued by a financial institution rated A or better by S&P or comparable rating agency, in an amount equal to fifty percent (50%) of the Surety Amount under L-10.3.

b. **Beneficiary.** Camden County shall be the sole beneficiary of both instruments.

c. **Continuous Maintenance.** Both instruments shall be in place prior to issuance of the CUP and shall be maintained continuously throughout the life of the facility. Lapse, expiration, downgrade of issuer below A rating, or material modification without County approval is an Operational Violation under L-8.1(b) for purposes of cure period and fines, and triggers immediate review of the CUP.

d. **Replacement.** If the issuer of either instrument is downgraded or otherwise becomes ineligible, the operator shall obtain a replacement instrument from a qualified issuer within ninety (90) calendar days.

3. **Surety Amount.**

a. **Site-Specific Cost Estimate.** The Surety Amount shall equal one hundred twenty-five percent (125%) of the engineer-certified site-specific cost estimate for full decommissioning and restoration of the facility under L-10.5 and L-10.6, with the additional 25% representing contingency for cost escalation, unforeseen conditions, and County administrative costs.

b. **Engineering Standard.** The cost estimate shall be prepared and signed by a Professional Engineer licensed in Missouri, with documented experience in industrial facility decommissioning. The estimate shall include line-item costs for: structure demolition; foundation removal; transformer and electrical equipment removal and disposal; fuel storage tank removal, cleaning, and disposal; refrigerant recovery and disposal; battery removal and disposal; cooling system drainage, decontamination, and removal; fiber and copper communications infrastructure removal; on-site stormwater and rainwater capture infrastructure removal or repurposing; soil testing and remediation if required; site grading; revegetation; and engineer's contingency.

c. **Recertification.** The cost estimate shall be recertified by a qualified Professional Engineer not less than once every five (5) years, and the Surety Amount adjusted accordingly within sixty (60) calendar days of recertification. The Surety Amount shall not decrease at recertification except by County approval based on documented reduction in facility scope or footprint.

d. **Cost Escalation Between Recertifications.** In years between recertifications, the Surety Amount shall be increased annually by the greater of (i) the Consumer Price Index for All Urban Consumers (CPI-U) annual change for the most recent calendar year, or (ii) three percent (3%).

4. **Triggers for Decommissioning Obligation.**

a. **Cessation Trigger.** The decommissioning obligation under L-10.5 is triggered upon any of the following:

i. The operator's notice to the County of intent to cease operations and decommission the facility;

ii. Cessation of substantial operational activity at the facility for a continuous period of eighteen (18) months. "Substantial operational activity" means active IT load operation at not less than ten percent (10%) of facility Peak Demand. Cessation includes but is not limited to facility shutdown, mothballing, or maintenance-only status; OR

iii. Final and non-appealable revocation of the facility's CUP under L-8.4(e).

b. **County Draw Trigger.** Camden County's right to draw on the decommissioning surety under L-10.2 is triggered upon any of the following:

i. Cessation of substantial operational activity for a continuous period of thirty-six (36) months without commencement and continuous prosecution of decommissioning activities meeting the standards of L-10.5.

ii. Bankruptcy filing by the operator or any parent entity in the chain of ownership where such filing impairs the operator's ability or obligation to perform decommissioning;

iii. Operator's express written abandonment of the facility;

iv. Failure to commence decommissioning activities within twelve (12) months of any cessation trigger under subsection (a) of this section; OR

v. Operator's failure to maintain decommissioning surety as required by L-10.2.

c. **Notice and Cure for Surety Draw.** Prior to drawing on the surety, the County shall provide thirty (30) calendar days' written notice to the operator and the issuer of each surety instrument, identifying the trigger and the actions required to avoid the draw. This notice and cure period does not apply where bankruptcy or abandonment under (b)(ii) or (b)(iii) of this section has occurred and the operator's ability to cure is in question.

5. **Decommissioning Activities.** Decommissioning shall include, at minimum, all of the following activities, performed in compliance with all applicable federal, state, and local environmental and occupational safety regulations:

    a. Safe shutdown of all IT load and supporting infrastructure;

    b. Recovery of all refrigerants in compliance with EPA Section 608 and the AIM Act;

    c. Removal and proper disposal of all batteries (UPS, energy storage, backup) per EPA universal waste rules and Missouri DNR requirements, including thermal runaway prevention during removal;

    d. Drainage, decontamination, and removal of all cooling systems, including chillers, cooling towers, dry coolers, and immersion baths;

    e. Drainage and removal of all on-site fuel storage tanks (above-ground and below-ground), including tank cleaning and disposal per EPA SPCC and NFPA 30;

    f. Removal and disposal or recycling of all transformers, switchgear, generators, and electrical equipment, including PCB testing and remediation if required;

    g. Recycling of all servers, networking equipment, storage equipment, and other electronic equipment per L-6.5 standards;

    h. Removal of all hazardous materials and waste streams per L-6.4;

    i. Removal of all stormwater and rainwater capture infrastructure, or repurposing in place if approved by the County for retained future use;

    j. Soil testing for contamination at locations identified in the Decommissioning Plan, including but not limited to former fuel storage areas, transformer pads, generator pads, and waste accumulation areas;

    k. Soil remediation if contamination is identified, to standards specified in the Development Agreement and applicable Missouri DNR rules;

    l. Removal of structures and foundations, and site grading, to the standard specified in L-10.6;

    m. Revegetation per L-10.6;

    n. Removal or repurposing of all transmission lines, fiber, and other linear infrastructure within the facility property; AND

o. Submission of a written certification of completion to the County, accompanied by the Phase II Environmental Site Assessment under L-10.7.

6. **Restoration Standards.**

a. **Default Standard for Small, Medium, and Large Data Centers.** The restoration standard shall be specified in the Development Agreement for each facility, taking into consideration site characteristics, surrounding land uses, the County's comprehensive plan, and the operator's proposed end-state. The Development Agreement shall specify, at minimum: (i) extent of structure and foundation removal; (ii) soil restoration standards; (iii) revegetation requirements; and (iv) any post-restoration monitoring obligations.

b. **Mandatory Greenfield Standard for Hyperscale Data Centers.** Notwithstanding subsection (a) of this section, Hyperscale data centers shall be restored to a "greenfield" standard, meaning: complete removal of all structures, foundations, and below-grade infrastructure to a depth of not less than three (3) feet below original grade or to depth of foundations, whichever is greater; removal of all paved surfaces; restoration of original site contours; replacement topsoil to a depth of not less than six (6) inches; and revegetation with native or naturalized species sufficient to establish stable plant cover within (2) growing seasons.

7. **Post-Decommissioning Environmental Site Assessment.**

a. **Phase II ESA Required.** Following completion of decommissioning activities under L-10.5 and prior to release of the decommissioning surety, the operator shall, at the operator's expense, commission a Phase II Environmental Site Assessment of the facility site, performed by a qualified environmental consulting firm selected by the County from a list of qualified consultants.

b. **Standard.** The Phase II ESA shall be conducted in compliance with ASTM E1903 (Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process) or its successor standard.

c. **Scope.** The ESA shall include, at minimum: soil sampling at all areas identified in the Decommissioning Plan and any additional areas where contamination is suspected; groundwater sampling where indicated by Phase I findings; and analytical testing for petroleum hydrocarbons, PCBs, heavy metals, chlorinated solvents, PFAS, and any other contaminants identified during operations or decommissioning.

d. **Remediation Required if Contamination Found.** If the Phase II ESA identifies contamination above applicable Missouri DNR Risk-Based Corrective Action (RBCA) standards or comparable federal standards for the proposed end use of the site, the operator shall complete remediation to applicable standards prior to release of the surety.

e. **Public Disclosure.** The Phase II ESA report shall be filed with the County and shall be available to the public on request after redaction of any genuinely confidential business information.

8. **Hyperscale-Specific Decommissioning Provisions.** In addition to all provisions in L-10.1 through L-10.7, Hyperscale data centers shall be subject to the following:

   a. **Increased Contingency.** The Surety Amount under L-10.3(a) shall be one hundred thirty-five percent (135%) of the engineer-certified site-specific cost estimate (35% contingency rather than 25%).

   b. **Greenfield Restoration Required.** Restoration shall be to the greenfield standard specified in L-10.6(b).

   c. **Third-Party Progress Monitoring.** Throughout the decommissioning process, an independent third-party monitor selected by the County and paid by the operator shall conduct periodic on-site inspections (not less than quarterly), review the operator's compliance with the Decommissioning Plan, and report findings to the County. The monitor shall have access to the site at all reasonable times and shall be empowered to identify deficiencies for County enforcement.

   d. **Phased Surety Release.** Surety shall be released in phases corresponding to verified completion of decommissioning milestones, with not less than twenty-five percent (25%) of the Surety Amount retained until final acceptance of the Phase II ESA under L-10.7 and final certification of greenfield restoration.

   e. **Transmission Corridor Restoration.** Hyperscale facilities that constructed dedicated transmission lines, substations, or fiber corridors shall include in their Decommissioning Plan provisions for removal or repurposing of those linear infrastructure components. Where utility companies retain the transmission infrastructure for grid use, the operator's obligation is satisfied by transfer to the utility; otherwise, full removal applies.

9. **County Draw and Cleanup Process.**

   a. **Authority to Draw.** Upon any trigger under L-10.4(b), the County is authorized to draw on the surety instruments under L-10.2 in any combination and amount up to the full Surety Amount.

   b. **County-Directed Decommissioning.** Following a draw, the County may directly engage contractors to perform decommissioning under L-10.5 and restoration under L-10.6, may engage a third-party administrator to manage the process, or may proceed by other means consistent with applicable law.

c. **Surplus.** If the County's draw and expenditure of surety funds, plus any third-party recoveries, exceed the cost of decommissioning and restoration, the surplus shall be returned to the operator or its successor in interest, less reasonable County administrative costs.

d. **Deficiency.** If the County's draw and expenditure are insufficient to complete the decommissioning and restoration, the deficiency shall be a lien on the property in favor of Camden County, enforceable through any lawful means including foreclosure. The operator and any successor in interest remain personally liable for the deficiency.

APPROVED AND ADOPTED this 20th day of August, 2026.

CAMDEN COUNTY, MISSOURI

Ike Skelton, Presiding Commissioner