ORDINANCE NO. 559 BILL NO. 559

AN ORDINANCE IN RELATION TO PRESCRIBED PROCEDURES FOR THE SUBDIVISION OF LAND WITHIN THE CORPORATED AREA OF WOOD HEIGHTS, MISSOURI, AND PRESCRIBING SPECIFICATIONS FOR THE PROPER WIDTH OF STREETS; MANNER IN WHICH STREETS ARE GRADED AND IMPROVED; BUILDING LINES; PROVISIONS FOR WATER, SEWER AND UTILITIES; AVOIDANCE OF CONDITIONS WHICH CREATE BLIGHTED AREAS, OVERCROWDING POPULATION, AND VEHICULAR TRAFFIC CONGESTION; PROVIDING FOR MINIMUM WIDTH AND AREAS OF LOTS; AND ECONOMIC DEVELOPMENT OF THE CITY TO INSURE THE ADEQUACY OF STREET AND UTILITIY FACILITIES AND TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND SETTING AN EFFECTIVE DATE FOR THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WOOD HEIGHTS, MISSOURI, AS FOLLOWS:

SECTION I

SCOPE AND PURPOSE

A. Scope of Ordinance

This Ordinance prescribes the procedures for the subdivision of land within the incorporated area of Wood Heights and any other area of Ray County made subject thereto under the provisions of Sections 89.410-89.490, of the Revised Statutes of Missouri, and comprises the requirements, standards and specifications with respect to:

1. The proper location and width of streets, building lines, open spaces, recreational areas and public lands.

2. The avoidance of conditions which would lead to the creation of blighted areas.

3. The avoidance of overcrowding of population and congestion vehicular traffic.

4. The manner and extend to which streets, water, sewer, storm water and other utility services are to be reviewed and improved.

5. The provision of adequate open space for traffic movement, utility facilities, access of emergency apparatus, for the control of the number, spacing, type, and design of access points of existing or future streets, for minimum width and area of lots for light and air, and for a proper distribution of population.

B. Interpretation

This Ordinance is intended to set MINIMUM REQUIREMENTS to provide for the coordinated, efficient and economic development of the City, to insure the adequacy of street and utility facilities, and to promote the public health, safety and welfare. If any other provision of law relates to any matter covered herein, the regulation providing the higher standard shall apply.

C. Application of Regulations

No lot in a subdivision, as defined herein, may be conveyed unless a Final Plat of the property has been approved according

to the requirements and provisions of this Ordinance. This is supplemental to and not in derrogation of the Revised Statutes of Missouri. Any plat of a subdivision of land in the incorporated areas of the City which has not been recorded in the Office of the Recorder of Deeds and which has not been accepted and approved, as herein provided, shall not be considered as a plat of any lawful subdivision. All plats shall be recorded in the Plat Book of Ray County, Missouri, according to requirements contained in Revised Statutes of Missouri.

D. Suitability of Land for Subdivision Development

Land unsuitable for subdivision development due to poor drainage, flooding, steep slope, extensive rock formation, lack of sanitary facilities, or any other conditions and prima facie constituting a danger to health, life or property shall not be approved for subdivision development unless the Subdivider presents evidence or data satisfactory to the Commission establishing that the methods proposed to meet any such condition are adequate to avoid any danger to health, life or property.

SECTION II

DEFINITIONS

A. General Statement

Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "building" shall include the word "structure"; the word "shall" is mandatory; the word "may" is permissive.

B. Definitions

For the purpose of this Ordinance, the terms used herein are defined as follows:

Alley: A permanent serviceway, dedicated to public use primarily for utility or vehicular service access to the rear or side of properties otherwise abutting on a street.

Barrier: (Natural or Artificial). Any street, highway, river, pond, canal, railroad, levee, embankment or screening by a fence or hedge.

Block: An area of land entirely bounded by streets, highways or ways, except alleys, pedestrian ways, or exterior boundaries of a subdivision unless such exterior boundary is a street, highway or way, or a combination of streets, public parks, cemeteries, railroad rights-of-way, bulk headlines or shorelines or waterways, or corporate boundary lines.

Building: Any structure, whether temporary, semi-permanent or permanent, designed or intended for the support, enclosure, shelter or protection of persons or property.

Building Line: (See setback line).

Campground or Travel Trailer Park: Any plot of ground upon which a camper or travel trailer is located regardless of whether or not a charge is made for such accommodation. However, such definition shall not include storage of one personal camper or travel trailer upon the property of the owner.

Roadway: The portion of a street, including shoulders, for vehicular usage.

Setback Line: The line generally parallel to the front, side or rear lot line establishing the minimum space to be provided as the front, side or rear yard.

Street: A general term denoting a public or private way for the purpose of vehicular travel. The term includes all facilities which normally occur within the right of way; it shall also include such other designation for a street as: a highway, thoroughfare, parkway, thoroughway, road, pike, avenue, boulevard, lane, place, drive, court or as otherwise designated, but excluding an alley or a way for pedestrian use only.

Street Classifications:

Highways: A street or road of great continuity with either a single roadway or a dual roadway which serves or is intended to serve major traffic flow and is designated in the Master Plan or is otherwise designated as a limited access highway or freeway, highway boulevard, parkway or other equivalent term to identify those streets comprising the basic street system.

Thoroughfares: A street or road of considerable continuity which serves or is intended to serve principal traffic flow between separated areas or districts and which is the main means of access to the residential street or roadway system.

Street, Collector: A street which carries or is proposed to carry intermediate volumes of traffic from minor streets to major streets, and which may or may not be continued.

Street, Minor: A street of limited continuity used primarily for access to abutting properties, providing for minimum speeds and traffic volumes.

Slope: "Slope" means the degree of natural inclination of the existing ground which is used as the basis for determining the hillsides.

Structure: Anything constructed, which requires permanent or temporary location on the ground or is attached to something having a permanent or temporary location on the ground.

Subdivider: "Subdivider" means any person, firm, partnership, association, corporation, estate or other group or combination acting as a unit, dividing or proposing to divide land in a manner that constitutes a subdivision as herein defined. The term "subdivider" shall include any agent of any subdivider.

Subdivision: The division of land into two (2) or more lots or parcels for the purpose of either immediate or future sale, rental or building development. Excluded from this definition is: The division of land for agricultural purposes; division of land for cemetery usage; division and distribution of land pursuant to law or court order; and the conveyance of any tract of land constituting either one-half, one-fourth, one-eighth or one-sixteenth section of land as defined in

Section 60.210, 220, 230, 240 of R.S.Mo. The term "subdivision" shall also include all resubdivisions of land or lots.

Subdivision, Minor: A division of land into two (2) but not more than four (4) lots; a division of land in which each parcel is two (2) acres or more in area the subdivision of land held by a bona fide partnership in existence for two or more years upon dissolution thereof; a division of land among the immediate members of a family for personal use which does not include any new streets, improvements, easements, or rights of way.

Traveled Way: That portion of a street used for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

Units: An area within a trailer or mobile home park, court or camp of not less than two thousand (2000) square feet of unoccupied space designated for the exclusive use of not more than one (1) automobile and one (1) trailer or mobile home.

Yard: Any open space located on the same lot with a building or structure, unoccupied and unobstructed from the ground up, except for any accessory buildings or projections as are permitted on the lot.

Yard, Front: A yard extending across the front of a lot between the side yard lines and being the minimum horizontal distance between the street line and the front building line.

Yard, Rear: A yard extending along the rear of a lot between the side yard lines and being the minimum horizontal distance between the rear lot line and the rear building line.

Yard, Side: A yard extending along each side of a lot between the front yard line and the rear yard line and being the minimum horizontal distance between the side lot line and the side building line.

SECTION III

PRELIMINARY PLAT

A. Advisory Meeting with Commission and Other Agencies

Prior to the preparation of the Preliminary Plat, the Subdivider shall consult with the staff of the Health Department (State Division of Health, State Water Pollution Board), Zoning Administrator and the Commission, in order to familiarize himself with the standards established in these Regulations and the provisions of the Comprehensive Plan affecting the land proposed to be divided.

B. Procedure

The Subdivider, after the advisory meetings may then request the Commission to review his Preliminary Plat. Application forms may be obtained from the Zoning Administrator and after completing the required information, the subdivider may file the application, together with

sufficient copies, and a reproducible copy of the preliminary plat. The sheet size shall be limited to 18" x 26", unless extreme conditions require a larger size to clearly delineate the proposed subdivision. The application shall be accompanied by the fee hereinafter specified. The Plat shall be reviewed by the Commission at its first (1st) meeting following the expiration of fifteen (15) days after the filing of all of the material required in this Section. A person seeking to subdivide land as a "Minor Subdivision" shall file a written statement with the Commission indicating the nature of the transaction. If it is determined that such transaction qualifies as a "Minor Subdivision", the Subdivider may not be required to file the Preliminary Plat data and may proceed with the preparation of a Final Plat, as prescribed herein.

Upon the filing of the Preliminary Plat data, the Zoning Administrator shall transmit copies thereof, for review and recommendation to the Planning and Zoning Commission.

C. Information Required on Preliminary Plat

The Preliminary Plat shall be drawn to a horizontal scale of not greater than two hundred (200') feet to the inch and shall contain the following information:

1. The name of the proposed subdivision and the legal boundary description of the property to be subdivided.

2. The names and addresses of the owner, subdivider, surveyor landscape architect, engineer and any others who may have prepared the plat.

3. The location of all existing monuments of record.

4. The gross and net acreage of the proposed subdivision; the acreage of streets; and of any areas reserved for the common use of the property owners within the subdivision.

5. The boundary lines of the proposed subdivision, and their bearing and distances, with ties to existing section corners and/or corners or points of legally recorded Subdivisions of record within the corporate limits of the City.

6. All section lines, U.S. Survey and township lines, lines of incorporated areas, sewer districts, public water supply and drainage districts, school districts and all other legally established districts.

7. The location, purpose, type and dimension of all streets and easements, existing and/or platted in, and in the immediate adjacent bordering area(s) or subdivisions, of the proposed subdivision, the location of all existing underground utility installations in the proposed subdivision.

8. The proposed location and approximate dimensions of all lots, building lines, easements and improvements thereon and the proposed use of the lots.

9. The areas within the proposed subdivision subject to inundation or storm water overflow, the subsurface conditions of the property, including the results of

any tests made to ascertain subsurface rock, soil and ground water, and the results of soil percolation tests, if individual septic tanks are proposed.

D. Supplemental Information Required with Preliminary Plat

The Subdivider shall file with the Preliminary Plat the following:

1. Preliminary plans and profiles shall be submitted (vertical scale of no greater than twenty (20') feet to the inch) for: Each proposed street (including grade, width and type of pavement), storm water drainage, grading and other improvements being proposed. (Preliminary improvement plans for water and sewage disposal systems shall be included as approved).

2. Whenever part of a tract is proposed to be subdivided and additional portions thereof to be subdivided in the future, a sketch plan of the entire tract shall be submitted.

3. If street lighting is proposed, a map showing the arrangement thereof.

4. All maps shall show the date, scale and north point. Each individual sheet shall be identified with its proper numerical sequence.

5. Any proposed Indenture of Restrictions, providing for the establishment of a governing body of the property owners.

E. Review of the Preliminary Plat

Within thirty (30) days after submission of all of the date hereinabove required, the Commission shall review and make a report thereon. It shall approve (with or without conditions), or disapprove the Preliminary Plat, including the plans and profiles of all improvements. Action shall be noted on two (2) or more copies of the Preliminary Plat and signed by the Chairman of the Commission. One (1) copy shall be returned to the Subdivider, and one (1) copy retained by the Commission for record. Approval of the Preliminary Plat shall lapse unless a Final Plat of all or a portion of the land included in the preliminary plat is submitted to the Commission within one (1) year from the date of the approval of the Preliminary Plat. A maximum of two (2) year extension of time may be granted by the Commission, upon application to the Commission, by the Subdivider and prior to the expiration of the initial approval.

F. Approved Preliminary Plat

Approval of the Preliminary Plat is an authorization to the Subdivider to proceed with the development of a Final plat for approval.

SECTION IV

MINIMUM STANDARDS OF DESIGN

No preliminary subdivision plat shall be approved unless it conforms to the following minimum standards of design.

A. Streets

1. Relation to Adjoining Streets

The arrangement of rights of way in a subdivision shall provide for the continuation of the existing streets or rights of way in adjoining areas, unless the Commission deems such continuation undesirable for reasons of topography or design. Where subdivision streets or rights of way are continuations or extensions of existing streets or rights of way, the width thereof, where practical, shall be at the same or greater width or width sufficient to adequately serve the subdivision of the existing street or right of way, except that in no case shall the street or right of way in the subdivision be of less width than hereinafter provided in Section IV, Sub-Section 3.

2. Projection of Streets

Where, in the opinion of the Commission, it is desirable to provide future street access to adjoining areas, the streets and rights of way in the subdivision shall be extended by the provision of a right of way for street purposes from the end of the pavement to the property line of the subdivision. If deemed necessary by the Commission, any such dead-end street shall be provided with a temporary turn-around or "Y" intersection. The street arrangements shall not be such as to cause hardship to owners of adjoining property in platting their own land and providing convenient access to it. However, except to avoid landlocking property, nothing herein shall be construed to require that private streets in one subdivision shall provide access to adjacent lands.

3. Classification of streets and Widths of Rights of Way

a. All streets shall be classified as either thoroughfare, collector, or minor, in accordance with their use and function, the standards of public safety, and topographic conditions. The classification of each street designated on a plat shall be reviewed by the Commission and revised as necessary to conform with the standards of these Regulations.

b. Streets shall have the following rights of way.

Street Type and Purpose	Right of Way Minimum Width
Thoroughfares, (Major Streets)	60 feet
Collector Streets and Minor Streets	50 feet
Alleys	20 feet

c. The surfaced area of any street shall not be less than 28 feet, measured from back of curb to back of curb.

d. Subdivision adjacent to existing deficient streets or roads shall provide additional right of way, to meet the minimum width requirements set forth.

e. A subdivision located on only one (1) side of an existing street or County Road shall provide one-half (½) of the required right of way width, measured from the center line of the existing roadway.

4. Intersections

a. Streets shall intersect, as nearly as possible at right angles.

b. Street curb intersections shall be rounded by radii of at least twenty-five feet (25'). When the smallest angle of street intersections is less than sixty degrees (60°), the Commission shall require curb radii of greater length.

5. Curves and Grade Changes in Streets - Horizontal

a. A tangent of at least one hundred feet (100') long shall be introduced between reversed curves on major and collector streets.

b. Where there is a deflection angle of more than ten degrees (10°) in the alignment of a street, not including intersection with any street, a curve with a radius adequate to insure safe sight distance shall be made. The minimum radii of curves shall be:

Street Types	Minimum Curve Radius
Thoroughfare	350 feet
Collector	250 feet
Minor	100 feet

6. Street Grades, Elevation and Construction

a. No street grade shall be in excess of: Thoroughfare, 7%; Collector, 10%; Minor, 12%; except as otherwise approved by the Commission because of adverse topographic conditions.

b. All curbing shall be of concrete construction and shall be 24 inch lazy back type curbing, measuring twelve (12) inches on the back side and six (6) inches on the front side. For minor subdivisions, see Section IV, Paragraph G hereof.

c. All streets shall be composed of concrete or asphaltic concrete constructed in accordance with all current and applicable American Public Works Association (APWA) standards relating thereto which are incorporated herein by reference.

d. The Commission shall not approve streets which will be subject to frequent or repeated inundation or flooding.

7. Street Jogs

Street jogs with centerline offsets of less than one hundred feet (100') are prohibited.

8. Cul-De-Sacs

Cul-de-sacs shall be no longer than six hundred feet (600') (unless topography indicates a need for a greater length), and shall terminate in a circular open space having a radius at the outside of the pavement of at least fifty feet (50') and a diameter at the outside of the right of way of at least one hundred feet (100').

9. Street Names

a. Proposed streets which are continuations of, or in alignment with, existing named streets shall bear the names of such existing streets, unless otherwise approved by the Commission.

b. The name of a proposed street which is not in alignment with an existing street shall not duplicate the name of any existing or platted street.

c. All names of streets proposed by the Subdivider shall be approved or disapproved by the Commission in accordance with this Resolution.

10. Alleys

Alleys may be provided to give access to the rear of all lots used for commercial and industrial purposes. Alleys shall not be provided in residential subdivisions.

B. Blocks:

1. Length

Block lengths may not exceed one thousand four hundred feet (1,400') nor less than four hundred feet (400') unless topographic conditions justify a departure from this maximum.

2. Width

Blocks shall be wide enough to allow two (2) tiers of lots of minimum lot depth. The Commission may approve double frontage lots which would otherwise front on a thoroughfare or where topographic or other tract conditions prevent single frontage design. Where double frontage lots are permitted, a twenty foot landscaped buffer shall be provided and access from the "rear" street prohibited.

3. Pedestrian Way

Pedestrian ways may be required across blocks which exceed nine hundred feet (900') in length, to connect dead-end streets, or to provide access to parks, schools, shopping areas of similar facilities. If a pedestrian way is required, a ten (10') foot right of way shall be set aside with a four foot (4') pavement, and at a grade no steeper than fifteen percent (15%), unless steps of adequate design are provided.

C. Lots

1. Frontage - Minimum Width

The minimum width of a residential lot shall be sixty (60) feet at the front set back line.

2. Arrangement

Each lot shall be free from flooding. No lot shall be impractical of improvement due to steepness of terrain, dangerous soil conditions or other adverse natural physical conditions. Side lot lines shall be at right angles to street lines and radial to curved street lines, unless deemed impracticable.

3. Dimensions

a. The size, shape and orientation of lots shall be designed to provide desirable building sites, properly related to topography, natural features, streets and land uses.

b. Residential lots not served by a sewage disposal system shall have a lot area of not less than twenty one thousand seven hundred and eighty (21,780) square feet, or such area as may be determined to be necessary by the Commission.

c. Residential lots served by the City sewage disposal system shall have a lot area of not less than seven thousand (7,000) square feet.

d. The minimum lot area of residential lots proposed to be served by individual private wells shall be as determined by the Health Department, in accordance with the factors of soil conditions, and the proposed sewage disposal system.

e. Remnants of land, containing less area than herein required and not designated and accepted for utility or public purposes, shall not be permitted.

f. Where property is proposed for development for commercial uses, the subdivider should design a layout providing for an overall or unified development, and wherever possible, avoid the platting of individual lots for each business establishment.

g. When property is to be developed for industrial uses, consideration will be given to a flexible lot, street and utility arrangement in order to allow for the needs of particular industries.

h. All lots shall have a minimum set back line of twenty-five (25) feet from the front of the lot line and a minimum of twenty-five (25) feet from the rear of the lot line, except for minor subdivisions, as set forth in Section IV, paragraph G hereof.

i. All lots shall have a minimum side yard of seven (7) feet, except for corner lots which shall have minimum side yards of, twenty-five (25) feet, and except for minor subdivisions, as set forth in Section IV, paragraph G hereof.

j. The total first floor living area of all single-family dwelling units shall not be less than eight hundred (800) square feet.

k. Two off-street parking spaces shall be provided for each single-family dwelling, at least one of which shall be in a garage.

D. Utility and Drainage Easements

1. Except where alleys are permitted, there shall be utility easements at least twelve feet (12') in width along front lot lines and 12' in back where the lots back up and 20' where single tier of lots. Where deemed appropriate, utility easements may be provided along the side lot line or across lots.

2. Storm easements and drainage rights of way may be required as deemed necessary. The subdivider shall provide an adequate easement and facilities to prevent flooding or erosion along each side of the stream. This easement shall be for any flood abatement purpose as determined by the Commission and any local or state agencies so concerned. The Subdivider may be required to enlarge, straighten or clear the existing drainage channel at time of construction.

3. All installations of water meters and water service lines must meet the following requirements, to-wit:

   (a) All water meters are to be installed in a manhole below freezing level and must be installed in that part of the lot designated for utility easements.

   (b) The water meter must be installed at the same time the water main is tapped and the manhole is installed.

   (c) All pipe, valves, fittings, labor and cost of installation of water main extensions, lines, attachments and hook-ups must be paid for by the person, firm or corporation causing said installation to be made and shall not be paid for by the city, even though a hookup or attachment permit may be in effect at the time of said installation, hook-up or attachment.

   (d) All water main extensions, hook-ups or attachments must be inspected and approved by the City prior to being covered or placed in use.

   (e) All water mains shall be a minimum of ~~4"~~ 6" in diameter and be steel or plastic pipe with a minimum of 160 per square inch test. lbs. All plastic pipe must have minimum of 14 gauge copper wire attached location wire attached 8" to 12" above pipe

   (f) All water service lines must be 3/4 inch I.D. copper or 3/4 inch I.D. galvanized steel or 3/4 inch I.D. plastic pipe with a 250 per square inch test. lbs.

E. Community Assets

Due regard shall be given to natural features such as large trees, unusual rock formations and water courses; for sites which have historical significance; and for similar assets, the preservation of which would add attractiveness and value to the subdivision.

F. Pulic Open Spaces and Areas

Sites which are mutually accepted by the subdivider and the appropriate public agencies for school, park, recreation, or other public improvements shall be reserved and designated for such uses on the plat of any subdivision in which such a parcel is located.

G. The information required on the Final Plat and the improvements to be installed for a Minor Subdivision shall be as designated by the Commission. The following minimum requirements shall be applicable, to-wit:

(g) all water mains and service lines installed min below freezing level not to exceed 48" in depth.

1. Streets shall have a minimum of sixty (60) feet width with a 18" drain on either side. All streets in minor subdivisions shall be comprised of concrete or asphaltic concrete constructed in accordance with all current and applicable American Public Works Association (APWA) standards relating thereto which are incorporated herein by reference.

2. All lots shall have a minimum of 2 acres, with no additional subdividing permitted.

3. The minimum set back line from the lot line shall be thirty (30) feet.

4. The side yard minimum width shall be 10 feet.

5. All water mains shall be 6" in diameter and service lines and sewer facilities shall be the same minimum requirements as in a regular subdivision.

6. Utilities easements shall be 12' in width across the front and back of each lot.

SECTION V

FINAL PLAT

A. Procedure

The Subdivider shall file the final Plat and supplements thereto on linen, mylar or similar durable material, together with sufficient copies, including a reproducible thereof. The sheet size shall be of sufficient size to clearly delineate the features. The plat and supplementary material shall be submitted to the Zoning Administrator by the Subdivider at least ten (10) working days prior to the date of the Planning Commission meeting, at which said subdivision is to be reviewed. The filing fee shall accompany each plat when submitted to the Commission for approval.

B. Information Required on Final Plat

The Final Plat shall be at a scale no less than two hundred (200') feet to the inch and shall contain the following information.

1. The name of the subdivision and the location of the property as to the block, section or U.S. Survey as the case may be.

2. The boundaries of the tract.

3. The lines of all street rights of way, easements and other rights of way, all lot lines and building lines with figures showing specific dimensions in decimals of a foot.

4. Specific bearings or deflection angles, radii, area, and central angles of all curves.

5. The lines of all pertinent adjoining lands and streets and their names.

6. Location and description of monuments, referenced to United States Geological Survey Datum Plan.

7. The designation of all areas to be used for other than residential lots and their proposed use.

8. If the property is within or adjacent to areas subject to periodic inundation note overflow areas subject to periodic flooding.

9. Certification and seal of surveyor as to accuracy of survey and plat.

10. Acknowledgement of the owner and mortgagee regarding plat and all dedications, restrictions and conditions affecting property platted.

All documents, maps, surveys and plans shall contain the date, title, name and location of the subdivision, the names and addresses of the Subdivider, Owner, Landscape Architect, Surveyor and Engineer, the graphic scale and true north line.

All dimensions, angles, bearings and similar data shall be tied to primary control points designated by a registered surveyor. Locations and descriptions of said control points shall be given. Except where otherwise approved by the Commission, the control points shall be established section corners and quarter section corners. All contours, grades and elevations shall use the United States Geological Survey Datum Plan and shall be designated on the Plat.

C. Supplemental Information Required with Final Plat

The Subdivider shall file with the Final Plat the following:

1. Copies of the approved plans and profiles of all subdivision improvements, such as streets, sewers, storm drains and structures, including grading plans, if required.

2. A copy of any Indenture of Restrictions.

D. Review of Final Plat

The Zoning Administrator shall check the plat to determine the accuracy of computations and other items designated thereon. At its first regular meeting (not less than 10 days nor more than 30 days following submission) following submission of the Final Plat and supplemental data, the Commission shall approve or disapprove same, which action shall be noted on the Plat and signed by the Chairman of the Commission. If the Plat is disapproved, the grounds therefor shall be stated in the Commission minutes and furnished to the Subdivider.

Approval of the Plat by the Commission shall not constitute acceptance of any portion thereof designated for public use. Copies of any Final Plat containing any area proposed to be dedicated to public use shall be forwarded by the Commission to the Board of Aldermen for its consideration and action. When the Final Plat has been approved by the Commission. A permanent record copy of the Plat and any Indenture of Restrictions shall be filed with the City Clerk by the Commission. Recordation shall not take place until after appropriate fees are paid by the Subdivider. No building permits shall be issued until such recordation.

SECTION VI

VARIANCES

A. General Standards

The Commission may grant a variation from this Resolution when its strict application would result in extreme practical difficulties and undue hardships by reason of the unusual shape of a specific parcel or property or exceptional topographic conditions. In granting any variance or modification, the Commission may prescribe such conditions as will secure the objectives of this Resolution. No variance shall be granted unless the Commission finds that no detriment will be caused to the public welfare and no injury will be caused to other property in the area in which the property for which the variance is requested is situated, and that the variance will not substantially impair the intent and purpose of this Resolution.

B. Planned Group Developments

The Commission may approve a Comprehensive, Planned Group Development, including Residential Neighborhood Units, Clusters and Condominium types, if it finds that the variations from this Resolution will not adversely affect the health, welfare, safety and convenience of the individuals occupying said development. Such development plan must meet the requirements of the Zoning Regulations.

SECTION VII

REQUIRED IMPROVEMENTS

The following improvements shall be required of the subdivider in regular subdivisions:

A. Streets

The Subdivider shall install not less than 30 foot wide pavement and curb on all streets. No grading or other construction shall take place within a street right-of-way until the construction plans have been approved by the City Engineer. Street paving shall be located in the center of the right-of-way and shall conform to the specifications of the City and compliance therewith shall be confirmed by the City Engineer.

B. Walks

Sidewalks shall not be required except in commercial and industrial areas. Such walks to be approved by the Commission.

C. Storm Drainage

The Subdivider shall install culverts, storm sewers, rip-rap slopes, stabilized ditches and other improvements to adequately handle storm water. All improvements shall comply with the minimum standards of the City and shall be approved by the City Engineer prior to construction.

D. Sanitary Sewers and Other Utilities

a. The Subdivider shall be responsible for the proper installation of all utilities including sanitary sewers,

and connection to approved treatment facilities, and water supply (approved by the Missouri Board of Health), natural gas, electricity, and telephone service. Such utilities shall be installed according to the specifications and minimum standards of the controlling utility company or public agency. However, distribution lines, power, telephone, and others shall be installed underground and all gas meters must be located within three (3) feet of the building foundation if located within front yards in all subdivisions and which the final plat is approved by the Commission after the passage of these regulations.

b. All houses requiring self contained sewage systems shall meet the following minimum requirements, to-wit:

1. All filter beds must have at least 100 square feet per bedroom.

2. All filter beds must have at least a 4 inch diameter p.v.c. drain line.

3. The minimum size of the septic tank shall be no less than 800 gallons in size.

E. Street Signs:

The Subdivider shall install street signs at all intersections within the subdivision. Such street signs shall follow the street names designated on the approved final plat and shall comply with the specifications of the City.

F. Fire Hydrants:

Fire hydrants shall be installed by the Subdivider as part of the water distribution system. Installation of hydrants may be accomplished in such manner that each lot is within seven hundred (700) feet of a fire hydrant when measured along the edge of the right-of-way, using a 4 inch main. In minor subdivisions fire hydrants shall be 1200 feet a part.

SECTION VIII

IMPROVEMENTS SURETY

The proper installation of street pavement, curbs or curb and gutter, storm drainage facilities, and street signs shall be guaranteed by the furnishing by the Subdivider or his agent of surety in the form of bond. Such surety shall be to the favor of the City and shall be satisfactory at the time construction plans are submitted for approval. The amount of surety shall be for the full cost of improvements.

Such surety shall be properly executed prior to any grading or construction and shall be released in segments upon written approval of the City Engineer and by action of the Administrator. Except in the case of highways or thoroughfares, a building permit shall not be issued for a lot or tract in a residential subdivision which abuts a street for which surety has not been furnished.

SECTION IX

FEES

A. **Filing Fees**

Upon the filing of a Preliminary Plat of a subdivision or any portion thereof, the subdivider shall pay a filing fee of Ten Dollars ($10.00). Upon the filing of a Final Plat of the subdivision of any portion thereof, the subdivider shall pay a filing fee of Ten Dollars ($10.00). The fees shall be used to defray the cost of processing and reviewing such plans.

B. **Construction Permit Fees**

Prior to the installation of any and all subdivision improvements or facilities, the Subdivider shall obtain from the Zoning Administrator a Construction Permit. This permit authorizes the construction of only those subdivision improvements or facilities for which final plans have been submitted and formally approved. The charge for said permit shall be a maximum of Twenty Five Dollars ($25.00). Said payment shall be used to defray the cost of inspection of said improvements during the construction period.

In lieu of the above inspection fee, the Planning Commission may accept from a Registered Professional Engineer, a Certificate, which is affixed to the Final Plat, certifying that the Engineer has inspected all of the improvements installed and that the material contained therein meets the requirements contained in the plans and specifications as approved by the Commission.

SECTION X

EVENT OF INVALID PORTIONS

If any section, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION XI

PENALTY

Any person violating the provisions of these regulations shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) or confined in the county jail for not more than one year, or both.

and connection to approved treatment facilities, and water supply (approved by the Missouri Board of Health), natural gas, electricity, and telephone service. Such utilities shall be installed according to the specifications and minimum standards of the controlling utility company or public agency. However, distribution lines, power, telephone, and others shall be installed underground and all gas meters must be located within three (3) feet of the building foundation if located within front yards in all subdivisions and which the final plat is approved by the Commission after the passage of these regulations.

b. All houses requiring self contained sewage systems shall meet the following minimum requirements, to-wit:

1. All filter beds must have at least 100 square feet per bedroom.

2. All filter beds must have at least a 4 inch diameter p.v.c. drain line.

3. The minimum size of the septic tank shall be no less than 800 gallons in size.

E. Street Signs:

The Subdivider shall install street signs at all intersections within the subdivision. Such street signs shall follow the street names designated on the approved final plat and shall comply with the specifications of the City.

F. Fire Hydrants:

Fire hydrants shall be installed by the Subdivider as part of the water distribution system. Installation of hydrants may be accomplished in such manner that each lot is within seven hundred (700) feet of a fire hydrant when measured along the edge of the right-of-way, using a 4 inch main. In minor subdivisions fire hydrants shall be 1200 feet a part.

SECTION VIII

IMPROVEMENTS SURETY

The proper installation of street pavement, curbs or curb and gutter, storm drainage facilities, and street signs shall be guaranteed by the furnishing by the Subdivider or his agent of surety in the form of bond. Such surety shall be to the favor of the City and shall be satisfactory at the time construction plans are submitted for approval. The amount of surety shall be for the full cost of improvements.

Such surety shall be properly executed prior to any grading or construction and shall be released in segments upon written approval of the City Engineer and by action of the Administrator. Except in the case of highways or thoroughfares, a building permit shall not be issued for a lot or tract in a residential subdivision which abuts a street for which surety has not been furnished.

SECTION IX

FEES

A. Filing Fees

Upon the filing of a Preliminary Plat of a subdivision or any portion thereof, the subdivider shall pay a filing fee of Ten Dollars ($10.00). Upon the filing of a Final Plat of the subdivision of any portion thereof, the subdivider shall pay a filing fee of Ten Dollars ($10.00). The fees shall be used to defray the cost of processing and reviewing such plans.

B. Construction Permit Fees

Prior to the installation of any and all subdivision improvements or facilities, the Subdivider shall obtain from the Zoning Administrator a Construction Permit. This permit authorizes the construction of only those subdivision improvements or facilities for which final plans have been submitted and formally approved. The charge for said permit shall be a maximum of Twenty Five Dollars ($25.00). Said payment shall be used to defray the cost of inspection of said improvements during the construction period.

In lieu of the above inspection fee, the Planning Commission may accept from a Registered Professional Engineer, a Certificate, which is affixed to the Final Plat, certifying that the Engineer has inspected all of the improvements installed and that the material contained therein meets the requirements contained in the plans and specifications as approved by the Commission.

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SECTION XII

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

The ordinance shall take effect and be in full force from and after its date of passage and approval.

READ TWO TIMES AND PASSED, AND APPROVED BY THE MAYOR, THIS 7th DAY OF Jan, 1992.

MAYOR

ATTEST:

CITY CLERK