

Chapter 400

SUBDIVISION REGULATIONS

Section 400.010. Definitions. [R.O. 2011 §405.010; CC 1979 §43.010]

For the purpose of interpreting this Chapter, certain terms are defined, as follows:

EASEMENT — A grant by the property owner of the use, for a specific purpose or purposes, of a strip of land by the general public, utility companies, or private individuals.

LOT — A parcel of land occupied or intended for occupancy by a building together with its accessory buildings, including open space for light and air.

OPEN SPACE — PUBLIC — Land which may be dedicated or reserved for acquisition for general use by the public, including parks, recreation areas, school sites, community or public building sites, and other lands.

PLANNING COMMISSION — The Mayor and Board of Aldermen.

STREETS — A way for vehicular traffic, whether designated as an avenue, boulevard, road, highway, expressway, land, alley, or other way, and for the purpose of this Chapter "*streets*" are divided into the following categories:

1. *Alleys*: Passage ways affording generally secondary means of vehicular access to abutting properties and not intended for general traffic circulation.
2. *Cul-de-sac*: Neighborhood streets with only one (1) outlet, sometimes called "dead-end" streets.
3. *Major streets and highways*: Those which are used primarily for fast or heavy through traffic.
4. *Neighborhood streets*: Those used primarily to provide direct access to individual lots and for local traffic movements.
5. *Secondary streets*: Those which provide for traffic movement between major streets and highways and local streets including principal entrance streets of residential developments and streets for circulation within such developments.

SUBDIVISION — The division of a parcel of land into two (2) or more lots, or other divisions of land; it includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

Section 400.020. Approval of Plats Required for Recording.

The Board of Aldermen shall be the official platting authority. No County Recorder shall receive

for filing or recording any subdivision plat required to be approved by a Board of Aldermen or the City's Planning Commission unless the plat has endorsed upon it the approval of the Board of Aldermen under the hand of the Clerk and the Seal of the City, or by the Secretary of the Planning Commission.

Section 400.030. Use of Unapproved Plat in Sale of Land — Penalty — Vacation or Injunction of Transfer.

No owner, or agent of the owner, of any land located within the platting jurisdiction of the City, knowingly or with intent to defraud, may transfer, sell, agree to sell, or negotiate to sell that land by reference to or by other use of a plat of any purported subdivision of the land before the plat has been approved by the Board of Aldermen or Planning Commission and recorded in the office of the appropriate County Recorder unless the owner or agent shall disclose in writing that such plat has not been approved by such Board of Aldermen or Planning Commission and the sale is contingent upon the approval of such plat by such Board of Aldermen or Planning Commission. Any person violating the provisions of this Section shall forfeit and pay to the City a penalty not to exceed three hundred dollars (\$300.00) for each lot transferred or sold or agreed or negotiated to be sold; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from this penalty. The City may enjoin or vacate the transfer or sale or agreement by legal action, and may recover the penalty in such action.

Section 400.040. Opening and Improving Public Streets. [R.O. 2011 §405.040; CC 1979 §43.040]

The Governing Body of the City shall not accept, lay out, open, improve, grade, pave or light any street or lay any utility lines in any street which had not attained the status of a public street prior to 1979, unless such street corresponds to the street location shown on an approved subdivision plat or on an official street map adopted by the Planning Commission. The Governing Body may accept, lay out, open and improve any street not so platted after review and comment by the Planning Commission on such action.

Section 400.050. Erection of Buildings. [R.O. 2011 §405.050; CC 1979 §43.050]

No building permit shall be issued and no building shall be erected on any lot in the City unless the street giving access thereto has been accepted as a public street in accordance with this Chapter, or unless such street has been accepted as a public street prior to 1979.

Section 400.060. Pre-Application Procedure. [R.O. 2011 §405.060; CC 1979 §43.060]

Whenever a subdivision of a tract of land within the City of Puxico is proposed, the subdivider is urged to consult early and informally with the Secretary or a designated member of the Planning Commission. The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed layout and development of the subdivision. No fee shall be charged for the pre-application review and no formal application shall be required.

Section 400.070. Application for Preliminary Plat Approval. [R.O. 2011 §405.070; CC 1979 §43.070]

- A. Following the pre-application review of a proposed subdivision, the subdivider shall submit to the Chairman of the Planning Commission, at least fifteen (15) days prior to the next regular meeting of the Planning Commission, the following:
1. A letter requesting review and approval of a preliminary plat and giving the name and address of a person to whom the notice of the hearing by the Planning Commission on the preliminary plat shall be sent;
 2. Five (5) copies of the preliminary plat and other documents, as specified in Section 400.120; and
 3. A preliminary plat filing fee shall be required as set forth by City ordinance.

Section 400.080. Review of Preliminary Plat. [R.O. 2011 §405.080; CC 1979 §43.080]

- A. The Planning Commission shall check the plat for conformance to the rules and regulations of this Chapter and shall afford a hearing on the preliminary plat, notice of the time and place of which shall be set by the Secretary of the Planning Commission by registered or certified mail to the person designated in the letter requesting preliminary plat review and approval, not less than five (5) days prior to the date of the hearing.
1. Thereafter, the Planning Commission shall give tentative approval or disapproval to the preliminary plat. A notation of the action shall be made on two (2) copies of the preliminary plat, including a statement of the reasons for disapproval if the preliminary plat is disapproved. One (1) copy shall be returned to the subdivider or his/her agent and one (1) copy added to the records of the Planning Commission.
 2. Tentative approval of a preliminary plat does not constitute approval of a final plat. It indicates only approval of the layout as a guide to the preparation of the final plat. Tentative approval shall expire and be null and void after a period of one (1) year unless an extension of time is applied for by the subdivider or his/her representative and approved by the Planning Commission.
 3. If action on a preliminary plat is not taken by the Planning Commission within sixty (60) days of the date of submittal, the preliminary plat shall be considered approved and a certificate of approval shall be issued on demand. However, the applicant for approval may waive this requirement and consent to an extension of time.

Section 400.090. Scale. [R.O. 2011 §405.090; CC 1979 §43.090]

The preliminary plat shall be clearly and legibly drawn at a scale not smaller than one hundred (100) feet to one (1) inch.

Section 400.100. Sheet Size. [R.O. 2011 §405.100; CC 1979 §43.100]

Sheet size shall be twenty (20) inches by twenty (20) inches or shall be the sheet size required by the appropriate County Recorder for recording purposes. If the complete plat cannot be shown on one (1) sheet of this size, it may be shown on more than one (1) sheet with an index map on a separate sheet of the same size.

Section 400.110. Ground Elevations. [R.O. 2011 §405.110; CC 1979 §43.110]

- A. The preliminary plat shall show ground elevations based on the datum plane of the U.S. Coast and Geodetic Survey or a datum plane approved by the City Engineer as follows:
1. For land with slopes less than approximately two percent (2%), show spot elevations at all breaks in grade, along all drainage channels or swales, and at selected points not more than one hundred (100) feet apart in all directions.
 2. For all slopes more than approximately two percent (2%):
 - a. If the ground slope is irregular, show contours with an interval of not more than two (2) feet; and
 - b. If the ground slope is regular, show contours with an interval of not more than five (5) feet.
 3. A tie to one (1) or more benchmarks shall be shown.

Section 400.120. Information to Be Provided on Preliminary Plat. [R.O. 2011 §405.120; CC 1979 §43.120]

- A. The preliminary plat shall contain the following information:
1. Title;
 2. Name and address of owner of record and of subdivider;
 3. Proposed name of subdivision and its acreage;
 4. North point and graphic scale and date;
 5. Vicinity map showing location and acreage of subdivision;
 6. Exact boundary lines of the tract by bearing and distances;
 7. Names of owners of record of adjoining land;
 8. Existing streets, utilities, and easements on and adjacent to the tract;
 9. Proposed design including streets and alleys with proposed street names, lot lines with approximate dimensions, easements, land to be reserved or dedicated for public uses, and any land to be used for purposes other than single-family dwellings;
 10. Block numbers and lot numbers;
 11. Provisions for water supply, sewerage, and drainage;
 12. Minimum building front yard setback lines; and
 13. Such street cross section and centerline profiles as may be required by the City Engineer.

Section 400.130. Application for Final Plat Approval. [R.O. 2011 §405.130; CC 1979 §43.130]

- A. After the preliminary plat of a proposed subdivision has been given tentative approval by the Planning Commission, the subdivider may, within one (1) year from tentative approval, submit to the Planning Commission:
 - 1. A letter requesting review and approval of a final plat, giving the name and address of the person to whom the notice of the hearing by the Planning Commission on the final plat shall be sent;
 - 2. Five (5) copies of the final plat and other documents, as specified in Section 400.160, plus the original which shall be drawn in permanent ink on permanent reproducible material, equal to the standards required by the appropriate County Recorder; and
 - 3. A final plat filing fee and a recording fee as set by ordinance.

Section 400.140. Review of Final Plat. [R.O. 2011 §405.140; CC 1979 §43.140]

- A. The Planning Commission shall check the final plat for conformance with the tentatively approved preliminary plat, and with the rules and regulations of this Chapter, and shall afford a hearing on the final plat, notice of the time and place of which shall be sent by the Secretary of the Planning Commission by registered or certified mail to the person designated in the letter requesting final review and approval, not less than five (5) days prior to the date of the hearing.
- B. Thereafter, the Planning Commission shall approve or disapprove the final plat. A notation of the action of the Planning Commission shall be made on the original drawing and all copies of the final plat, including a statement of the reasons for disapproval if the final plat is disapproved. If action on a final plat is not taken by the Planning Commission within sixty (60) days of the date of submittal, the final plat shall be considered approved and a certificate of approval shall be issued on demand. However, the applicant for approval may waive this requirement and consent to an extension of time.

Section 400.150. Recording of Final Plat. [R.O. 2011 §405.150; CC 1979 §43.150]

Upon approval of a final plat, the Chairman of the Planning Commission shall have the final plat recorded in the office of the appropriate County court. The subdivider shall be responsible for the payment of the recording fee at the time of submitting the final plat as provided in Section 400.130.

Section 400.160. Final Plat Specifications. [R.O. 2011 §405.160; CC 1979 §43.160]

- A. The final plat shall conform to and meet the specifications of the preliminary plat (Sections 400.090, 400.100, 400.110 and 400.120) with the following additions:
 - 1. Bearings and distances to the nearest existing street lines or benchmarks or other permanent monuments (not less than three (3)) shall be accurately described on the plat;
 - 2. Municipal, County, and land-lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision;

3. Exact boundary lines of the tract, determined by an engineering field survey, giving distances to the nearest one-tenth (1/10) foot and angles to the nearest minute, which shall be balanced and closed with an error closure not to exceed one (1) to five thousand (5,000);
4. Name of subdivision, exact location, widths, and names of all streets and alleys within and immediately adjoining the tract;
5. Street centerlines showing angles of deflection, angles of intersection, radii, and lengths of tangents;
6. Lot lines with dimensions to the nearest one-tenth (1/10) foot and bearings;
7. Lots numbered in numerical order and blocks lettered alphabetically;
8. Location, dimensions, and purposes of any easements and any areas to be reserved or dedicated for public use;
9. Accurate location, material, and description of existing and proposed monuments and markers; and
10. A statement, either directly on the plat or in an identified attached document, of any private covenants.

Section 400.170. Engineer's or Surveyor's Certification. [R.O. 2011 §405.170; CC 1979 §43.170]

An engineer's or surveyor's certification shall be placed directly on the final plat as follows:

"It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; and that all monuments shown hereon actually exist or are marked as "Future", and their location, size, type, and material are correctly shown; and that all engineering requirements of the Subdivision Regulations of the City of Puxico, Missouri have been fully complied with."

Section 400.180. Owner's Certification. [R.O. 2011 §405.180; CC 1979 §43.180]

An owner's certification shall be placed on the final plat as follows:

"The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies this plat was made from an actual survey, that all State, City, and County taxes or other assessments now due on this land have been paid."

Section 400.190. Certification of the City Clerk, County Health Officer or City Attorney. [R.O. 2011 §405.190; CC 1979 §43.190]

- A. The City Clerk or other responsible official shall certify that the streets, drainage, utilities, and other improvements indicated on the plat have been completed to proper specifications and per design standards. Where the required improvements have not been completed, the City Attorney shall certify that approved bond, or security, has been posted to insure their completion.
- B. Where septic tanks are to be used in lieu of public sewerage, the County Health Officer or

local health authority shall certify that adequate septic tanks have been installed to specifications and that lot areas shown on the plat are adequate to accommodate individual septic tanks.

Section 400.200. Certificate of Dedication. [R.O. 2011 §405.200; CC 1979 §43.200]

A certification by the owner setting forth the description of the areas and improvements he/she dedicates to the public and the extent of the title which he/she is dedicating should be attached to the final plat. This certificate should be approved as to form by the City Attorney.

Section 400.210. Copy of Official Action by Governing Body. [R.O. 2011 §405.210; CC 1979 §43.210]

A copy of the ordinance or resolution adopted by the Governing Body accepting streets, improvements, easements, and any other property dedicated by the owner for public use, as indicated on the final plat, shall be attached to the final plat before recording.

Section 400.220. Certificate of Approval of the Final Plat by the Planning Commission. [R.O. 2011 §405.220; CC 1979 §43.220]

The Chairman of the Planning Commission shall include a certificate of approval of the final plat directly on the plat as follows:

"All the requirements of approval having been fulfilled pursuant to the Subdivision Regulations of the City of Puxico, Missouri, this final plat was given final approval by the Puxico Planning Commission effective _____20____.

_____ Date _____ Chairman Puxico Planning Commission

Section 400.230. Suitability of Land. [R.O. 2011 §405.230; CC 1979 §43.230]

Land subject to flooding, improper drainage, erosion or that is, for topographical or other reasons, unsuitable for residential use shall not be platted for residential use nor for any other use that will increase the danger of health, safety, or property destruction, unless the hazards can be and are corrected.

Section 400.240. Name of Subdivision. [R.O. 2011 §405.240; CC 1979 §43.240]

The name of the subdivision must have the approval of the Planning Commission. The name shall not duplicate or closely approximate the name of an existing subdivision.

Section 400.250. Access. [R.O. 2011 §405.250; CC 1979 §43.250]

Access to every subdivision shall be provided over a public street.

Section 400.260. Conformance to Adopted Major Thoroughfare and Other Plans. [R.O. 2011 §405.260; CC 1979 §43.260]

A. All streets and other features of any major thoroughfare plan of the City of Puxico,

Missouri, shall be platted by the subdivider in the location and to the dimensions indicated on the major thoroughfare plan adopted by the Planning Commission.

1. When features of other plans adopted by the Planning Commission (such as schools or other public building sites, parks, or other land for public uses) are located in whole or in part in a land subdivision, such features shall be either dedicated or reserved by the subdivider for acquisition within a reasonable time by the appropriate public agency.
2. Whenever a plat proposes the dedication of land to public uses that the Planning Commission finds not required or suitable for such public use, the Planning Commission shall refuse to approve the plat, and shall notify the Governing Body of the reasons for such action.

Section 400.270. Large-Scale Developments. [R.O. 2011 §405.270; CC 1979 §43.270]

The requirements of this Chapter may be modified in the case of a large-scale community or neighborhood units, such as a housing project or shopping center which is not subdivided into customary lots, blocks, and streets, if the development is approved by the Planning Commission and if it is in conformity with the purpose and intent of this Chapter.

Section 400.280. Continuation of Existing Streets. [R.O. 2011 §405.280; CC 1979 §43.280]

Existing streets shall be continued at the same or greater width, but in no case less than the required width.

Section 400.290. Street Names. [R.O. 2011 §405.290; CC 1979 §43.290]

Street names shall require the approval of the Planning Commission. Streets that are obviously in alignment with streets already existing and named shall be given the name of the existing street. Names of new streets shall not duplicate or closely approximate those of existing streets.

Section 400.300. Street Jogs. [R.O. 2011 §405.300; CC 1979 §43.300]

Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall not be permitted.

Section 400.310. Cul-De-Sacs. [R.O. 2011 §405.310; CC 1979 §43.310]

Except where topographic or other conditions make a greater length unavoidable, cul-de-sacs or dead-end streets shall not be greater in length than five hundred (500) feet. They shall be provided at the closed end with a turnaround having a property line radius of at least fifty (50) feet with an outside pavement radius of at least forty (40) feet.

Section 400.320. Alleys. [R.O. 2011 §405.320; CC 1979 §43.320]

Alleys may be required at the rear of all lots used for multi-family, commercial, or industrial developments but shall not be provided in one- and two-family residential developments unless the subdivider provides evidence satisfactory to the Planning Commission of the need for alleys.

Section 400.330. Easements. [R.O. 2011 §405.330; CC 1979 §43.330]

- A. Easements having a minimum width of ten (10) feet shall be provided along each side of rear lot lines and shall be provided, as required, for utility lines and underground mains and cables.
- B. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a storm water or drainage right-of-way of adequate width. Parallel streets may be required by the Planning Commission in connection therewith.

Section 400.340. Street Right-of-Way Widths. [R.O. 2011 §405.340; CC 1979 §43.340]

- A. The right-of-way width shall be the distance across a street from property line to property line. Minimum street right-of-way widths shall be as follows:
 - 1. Major streets, one hundred forty (140) feet;
 - 2. Secondary streets, sixty (60) feet;
 - 3. Neighborhood streets, fifty (50) feet; and
 - 4. Alleys, twenty (20) feet.

Section 400.350. Street Pavement Widths. [R.O. 2011 §405.350; CC 1979 §43.350]

- A. Street pavement widths shall be as follows:
 - 1. Secondary streets, thirty-six (36) feet;
 - 2. Neighborhood streets, twenty-six (26) feet; and
 - 3. Alleys, sixteen (16) feet.

Section 400.360. Street Grades. [R.O. 2011 §405.360; CC 1979 §43.360]

Maximum and minimum street grades shall be twelve percent (12%) and one-half percent (0.5%) respectively.

Section 400.370. Horizontal Curvature. [R.O. 2011 §405.370; CC 1979 §43.370]

The minimum radii of centerline curvature shall be one hundred fifty (150) feet.

Section 400.380. Tangents. [R.O. 2011 §405.380; CC 1979 §43.380]

Between reverse curves, there shall be a tangent having a length not less than one hundred (100) feet.

Section 400.390. Street Intersections. [R.O. 2011 §405.390; CC 1979 §43.390]

Street intersections shall be at right angles when possible. No street intersections shall be at an angle of less than sixty degrees (60°), unless required by unusual circumstances.

Section 400.400. Curb Line Radius. [R.O. 2011 §405.400; CC 1979 §43.400]

The curb line radius at street intersections shall be at least fifteen (15) feet. Where the angle of street intersection is less than ninety degrees (90°), a longer radius may be required.

Section 400.410. Block Lengths and Widths. [R.O. 2011 §405.410; CC 1979 §43.410]

A. Block lengths and widths shall be as follows:

1. Blocks shall be not greater than nine hundred (900) feet nor less than three hundred (300) feet in length, except in unusual circumstances; and
2. Blocks shall be wide enough to provide two (2) tiers of lots of minimum depth, except where abutting upon major streets or where other situations make this requirement impracticable.

Section 400.420. Lot Sizes. [R.O. 2011 §405.420; CC 1979 §43.420]

A. Residential lots shall meet the lot width and lot area requirements of the zoning ordinance. In the absence of a zoning ordinance, residential lots shall not be less than seventy-five (75) feet wide at the building line.

1. Residential lots shall have a depth of not less than one hundred (100) feet and not greater than three (3) times the width of the lot at the building line, unless unusual circumstances make these limitations not practicable.
2. Where individual septic tanks are used, the Health Officer shall prescribe minimum lot sizes to conform to health standards, which may be greater than the standards contained herein.
3. Commercial and industrial lots shall be adequate to provide service areas and off-street parking suitable for use intended.
4. Residential corner lots shall have adequate width to meet building setback requirements from both abutting streets.

Section 400.430. Lot Lines. [R.O. 2011 §405.430; CC 1979 §43.430]

All lot lines shall be perpendicular or radial to street lines, unless not practicable because of topographic or other features.

Section 400.440. Building Lines. [R.O. 2011 §405.440; CC 1979 §43.440]

A building line meeting the front yard setback requirements shall be established on all lots.

Section 400.450. Lots Abutting Public Streets. [R.O. 2011 §405.450; CC 1979 §43.450]

Each lot shall abut upon a dedicated public street.

Section 400.460. Double and Reverse Frontage Lots. [R.O. 2011 §405.460; CC 1979 §43.460]

Double frontage and reverse frontage lots should be avoided, except where essential to provide

separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planted screen easement of at least ten (10) feet, across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other incompatible use.

Section 400.470. Required Improvements. [R.O. 2011 §405.470; CC 1979 §43.470]

- A. Prior to the approval of the final plat, an agreement shall be reached between the subdivider or his/her agent and the City Government with regard to the installation of any street improvements or utility construction called for on the subdivision plat. In certain cases, where the City Government deems necessary, the subdivider shall be required to have installed by appropriate City agency at his/her expense, or with approval of the agency concerned, to install the following street improvements and utilities:
 - 1. Streets, including street grading, and street ditching;
 - 2. Sanitary sewer lines and manholes, storm drainage facilities, sidewalks (when determined by the Planning Commission to be essential for the safety of pedestrians) and monuments and markers; and
 - 3. Water mains within the subdivision with connections to each lot.
- B. All required street improvements, utilities and monuments shall be built to standards specified by the agency responsible for each. All utilities to be installed in the streets shall be placed and compacted prior to paving.