

Subdivision Regulations

Article II , Land Development Code

Chapter 36, Code of the
City of Springfield, Missouri

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Chapter 36
Land Development Code Article II
SUBDIVISION REGULATIONS

Section 100. Short Title.

This Article shall be known and may be cited as the “Subdivision Regulations” of the City of Springfield, Missouri.

Section 101. Interpretation and Purpose.

In their interpretation and application the provisions of this Article shall be held to the minimum requirements adopted for the protection of the public health, safety, and welfare. To protect the public, among other purposes, such provisions are intended to provide for a permanently wholesome community environment, adequate municipal services and safe streets.

Section 102. Scope.

This Article shall apply to all land which is subdivided if the subdivision is recorded after March 26, 1956, and to any lot or lots which are resubdivided after March 26, 1956. It is not intended by the Article to repeal, abrogate, nullify or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Article, with private restrictions placed upon property by deed, covenants or other private agreement, or with restrictive covenants running with the land to which the City is a party. Where this Article imposes a greater restriction upon land than is imposed or required by such existing provisions of law, ordinances, contract or deed, the provisions of this Article shall control. Subdivision regulation in effect prior to the effective date of this ordinance shall apply to all land where an application has been made to the Commission to subdivide the land prior to the effective date of this ordinance provided a plat is recorded for such subdivision within eighteen (18) months after passage of this ordinance.

Section 103. Authority.

Pursuant to the authority conferred by the Constitution and laws of the State of Missouri, and the Springfield City Charter, the Planning and Zoning Commission of Springfield, Missouri, hereinafter referred to as the Planning Commission or Commission, is hereby designated as the administrative agency charged with the duty of making determinations and investigations concerning the design and improvements in proposed subdivisions.

Section 104. Application of Regulations.

No person shall divide a tract or parcel of land or a lot into two or more lots, tracts or parcels nor shall any person install a new street, alley, easement, water line, sewers or any other public improvement except in conformity with this Article; provided, the public acquisition of land for any purpose shall be exempt from such prohibition.

Section 105. Enforcement.

- (1) **Recording of Plat.** No property description of any subdivision shall be entitled to be recorded in the county Recorder's office or have any validity until it shall have been approved in the manner prescribed herein. In the event any such unapproved property description is recorded, it shall be considered invalid and the City Attorney may cause proceedings to be instituted to have such plat or deed declared invalid.
- (2) **Sale of Land in Subdivision.** No owner or agent of the owner of any land shall transfer, sell, offer, or agree to sell any land by reference to, exhibition of, or by use of a property description nor shall any person purchase such land or agree to buy such land before such property description has been approved and recorded in accordance with these regulations.
- (3) **Permits.** The Building Development Services Department shall not issue permits for any structure except where a property description has been approved in the manner prescribed herein.
- (4) **Public Improvements.** The City and its Boards, Commissions and agents shall withhold all public improvements of whatever nature, including the furnishing or maintenance of streets, utilities and sewage facilities from all subdivisions subject to this ordinance which have not been approved, and from all areas dedicated to the public which have not been accepted by the Council, in the manner prescribed herein. Upon the Director of Planning and Development notifying City Utilities of the City of Springfield of a violation of this ordinance, it shall be unlawful for City Utilities to furnish utilities to property which has been subdivided in violation of these regulations.
- (5) **Revision of Plat After Approval.** No changes, erasures, modifications or revisions shall be made in any final plat of a subdivision or in any metes and bounds description after approval has been given under the provisions of these regulations.
- (6) **Hearing Before Director of Planning and Development.** The person(s) violating such section or person(s) owning property unlawfully subdivided shall

request a hearing before the Director of Planning and Development within 30 days after notice from the Director otherwise the decision of the Director shall become final. The Director shall determine at such hearing if this ordinance has been violated. The decision of the Director shall be final and shall be subject to review under Chapter 536 of the Revised Statutes of Missouri.

Section 106. Variances.

- (1) **General.** Deviations from and exceptions to the standards and procedures of this Article may be granted by the City Council, the Planning Commission or the Director of Planning and Development, as set forth herein only if such deviations and exceptions conform to the following conditions and procedures. Such deviations and exceptions are referred to, for purposes of this Article, as variances relative to zoning and other ordinances and codes effective in the City of Springfield. No application for preliminary plat which would create conditions requiring a variance or exception from zoning standards or other ordinances or codes by the Board of Adjustment, shall be submitted to the Planning and Zoning Commission unless and until the applicant's request for variance or exception shall have been first submitted to and approved by the Board of Adjustment. (G.O. #4675, 2/3/97)
- (2) **Purpose and Intent.** It is the purpose and intent of this variance procedure to provide relief from unusual hardship, inequitable construction procedures, design requirements which may be impractical and other conditions which occur with a specific parcel of land but do not occur in the normal subdivision process.
- (3) **Conditions of Variance Approval.** No variance shall be granted unless it is found that:
 - (a) There are special and unusual circumstances affecting said property such that the strict application of the provisions of this Article would deprive the owner of the reasonable use of his land and is not the mere grant of a privilege, and
 - (b) The variance is necessary for the preservation and enjoyment of a substantial property right of the owner, and
 - (c) The granting of the variance would not be detrimental to the public safety, convenience or welfare or be injurious to other property in the vicinity.
- (4) **Recording Required.** When a variance from these regulations has been approved, the details of such variance shall be recorded in the office of the Recorder of Deeds of Greene County. No such variance shall be recorded, however, until a thirty day period shall have passed during which time said

variance may be challenged in a court of competent jurisdiction.

(5) Authority to Grant Variances.

- (a) The Planning Commission shall be empowered to grant variances with respect to the improvements and the design standards relative to lot dimensions and arrangements, street location, alignment, the location and alignment of easements, building lines and similar standards.
- (b) City Council shall review requests for variances only upon an appeal by an applicant from a denial of a request by the Commission and only upon the written record made before the Commission.

(6) Procedure.

- (a) Variances shall be reviewed in accordance with one of the two following procedures:
 - (1) Requests for variances may be submitted concurrently with the Preliminary Plat or Final Plat if it is a minor subdivision. The applications for variance shall be made on forms provided by the Director and shall state precisely the provisions from which variance is requested along with the reasons therefor. Such variance application shall be reviewed and acted upon concurrently with the Preliminary Plat or Final Plat if a minor subdivision.
 - (2) Requests for variances independent of plat review shall be permitted if the applicant can show good cause why such request was not made at the time of the Preliminary Plat and shall be submitted on forms provided by the Director along with a fee for administrative processing in the amount prescribed by ordinance. Such application shall be submitted to the Commission.
 - (3) Within 30 days after Commission has acted on a variance, the City Council may, by vote of Council, elect to conduct independent review of any variances considered by the Commission and may grant, reverse, modify or affirm the decision of the Commission based on the provisions of this Article and procedures for granting variances.

Section 107. Conditions For Recording.

No property description of any subdivision shall be entitled to be recorded in the County Recorder's office or have any validity until the property description

thereof has been prepared, approved and acknowledged in the manner herein prescribed. Recording of the property description approved in the manner herein prescribed shall be conclusive evidence of validity of the subdivision.

Section 108. Septic Tank - Permission to Construct and Use.

Septic tanks and filtration beds can be constructed only after the site has been inspected and the plans and specifications for the construction of the same approved by the Director of Building Development Services as conforming to the sanitary code of the Division of Public Health of Missouri.

Section 109. Public Improvements.

After the effective date of this Article, no public improvements shall be made or permitted in any area that has been subdivided or upon any street that has been platted after the date of the adoption of this Article, unless such subdivision or street has been approved and recorded in accordance with the provisions contained herein.

Section 110. Subdivision or Additions - Acceptance of Subdivision.

No subdivision of land within the city shall be accepted or approved by the Council, Commission or by the Director of Public Works unless the streets, avenues or alleys, sewers or other improvements in such addition or subdivision are improved, or constructed in a manner complying with the plans and specifications fixed by the Director of Public Works or unless the subdivision or developer guarantees that such improvements will be constructed to comply with plans and specifications approved by the Director of Public Works.

Section 111. Acceptance of Streets.

No street, avenue, alley or public highway which has been improved shall hereafter be accepted by the City unless such improvements were constructed according to the plans and specifications then in force for the doing of such work or making such improvement at the time the work or making such improvement was begun, and unless such improvements were constructed under the supervision and inspection of the City.

Section 112. Misrepresentation as to Construction, Supervision or Inspection or Improvements.

It shall be unlawful for any person, firm or corporation owning an addition or subdivision of land within the city to represent that any improvements upon any of the streets, alleys, or avenues of said addition or subdivision, or a sewer in

said addition or subdivision has been constructed according to the plans and specifications approved by the Director of Public Works, or has been supervised or inspected by him, when such improvement is not so constructed, supervised or inspected.

Section 113. Penalty.

It shall be unlawful for any person to engage in any act or in any conduct prohibited by this Article. Any person who engages in such acts or conduct or who violates the provisions of this Article shall be guilty of a misdemeanor and shall be subject to a fine of not more than \$500.00.

**Section 200. Subdivision Application Procedure and Approval Process.
Official Duties of the Director of Planning and Development.**

- (1) Unless otherwise stated, the provisions of these regulations shall be administered by the Director of Planning and Development.
- (2) The Director, with the assistance of the City Attorney, shall have all necessary authority to administer and enforce these regulations on behalf of the City. Said authority shall include the ability to order, in writing, the remedy of any condition found in violation of these regulations and the ability to initiate legal action to insure compliance with the provisions including injunctions or other action to set aside subdivisions or any illegal conveyance of land which violates provisions of this Article. The authority includes injunction, abatement, or other appropriate actions or proceedings.
- (3) In the administration of these regulations, the Director shall:
 - (a) Receive, review for completeness and substantial compliance, officially accept, and maintain current permanent files and records for all applications for subdivision approval.
 - (b) Conduct inspections of proposed subdivisions to determine compliance with these regulations.
 - (c) Insure that copies of the subdivision regulations are available for public distribution.
 - (d) Provide such technical and consultative assistance as may be required by the Planning Commission, the City Council, and by the agencies of the City in the exercise of their duties relating to these regulations.
 - (e) Perform such other duties and functions as required by these regulations.

Section 202. Classification of Subdivision.

- (1) Classification of the subdivision shall be made by the Director in accordance with the definitions of this Section.
- (2) Subdivisions shall be classified as a platted subdivision or administrative subdivision in accordance with the provisions of this Section. Administrative subdivisions shall include an administrative re-plat, a lot combination, property line adjustment, tract certification, or administrative condominium in accordance with the provisions of this Section. (G.O. 5754, 5/19/08)
 - (a) **Platted Subdivision:** A subdivision of property into two or more tracts, parcels or lots, which is approved by the Planning and Zoning Commission and City Council and is recorded in the form of a plat at the office of the Greene County Recorder of Deeds. (G.O. 4581, 1/22/96)
 - (b) **Administrative Subdivision:** A subdivision of property which the Director of Planning and Development has the authority to approve in accordance with this Article. Administrative subdivisions are limited to the following and shall meet the conditions for each as described herein: (G.O. 4581, 1/22/96)
 - (1) **Administrative Re-Plat:** The subdivision of land shall be classified as an administrative re-plat if an existing lot in a previously recorded subdivision is subdivided into not more than five (5) tracts, parcels or lots, and does not include the dedication of a new street or other public way or change in existing streets, or alleys. (G.O. 5668, 4/9/07)
 - (2) **Lot Combination:** The assembly or combination of contiguous existing tracts of record. (G.O. 4581, 1/22/96)
 - (3) **Property Line Adjustment:** Movement of a property line to correct an encroachment or property line dispute in which the property line is moved to change the dimensions of a tract while maintaining it's original shape. (G.O. 4581, 1/22/96)
 - (4) **Tract Certification:** The certification of a property description. (G.O. 4581, 1/22/96)
 - (5) **Administrative Condominium:** The subdivision of an existing structure or structures on a lot of record into units on a common element. (G.O. 5754, 5/19/08)

- (3) Classification of a subdivision as anything other than a “platted subdivision” shall not be construed as a waiver of any requirements of these regulations nor the provisions of any other ordinance or statute pertaining to the property. (G.O. 4581, 1/22/96)

Section 203. Administrative Subdivisions - Administrative Approval of Lot Divisions, Lot Combinations, Property Line Adjustments, Tract Certifications and Administrative Condominiums. (G.O. 4581, 1/22/96; G.O. 5668, 4/9/07; G.O. 5740, 2.25/08; G.O. 5754, 5/19/08)

- (1) **Administrative Re-Plats:** The Director of Planning and Development has the authority to approve an Administrative Re-Plat if it complies with one of the following requirements.
- (a) The configuration of the property was created by a court decree or order resulting from testamentary or intestate provisions.
- (b) All lots in the proposed subdivision are at least forty (40) acres.
- (c) The Director finds the subdivision of land satisfies all of the following conditions.
- (1) The proposed subdivision is part of a previously final platted and recorded subdivision.
- (2) The proposed subdivision does not :
- (i) create more than five (5) new lots from each lot created by a previously recorded subdivision; and
- (ii) the aggregate total of new lots created does not exceed five (5) tracts, parcels or lots from each lot created by a previously recorded subdivision if any of the area of the proposed subdivision was part of a prior administrative re-plat or lot division.
- (3) The proposed subdivision does not include the dedication of a new street or other public way or change in existing constructed streets or alleys.
- (4) The right of way adjacent to the proposed subdivision meets the widths prescribed by this Article and by the City Traffic Engineer, or

the proposed subdivision includes the dedication of additional right of way necessary to provide the prescribed right of way width.

(5) The proposed subdivision includes the dedication of any easements determined necessary by the Director of Public Works or to provide utilities to serve the subdivision.

(6) Each lot of the proposed subdivision is already served by the following improvements:

- (i) public sanitary sewer, and
- (ii) potable water facilities.

(7) Each lot of the proposed subdivision is either:

(i) already served by stormwater conveyance and/or detention facilities, whether public or private; or

(ii) construction of private stormwater conveyance and/or detention facilities is proposed to be deferred to time of development in compliance with the following conditions:

- (a) A plat note is included on the Administrative Re-plat requiring the construction of the private stormwater conveyance and/or detention facilities prior to issuance of a building permit;
- (b) The subdivider submits preliminary design plans with the application for the Administrative Re-Plat sufficient to show that the proposed private stormwater conveyance and/or detention facilities can be engineered to function as proposed; and
- (c) The Director of Public Works approves the concept set forth in the preliminary design.

(8) Each lot of the proposed subdivision has sidewalks meeting current City standards, or security for the construction of sidewalks is provided as set forth in this Section.

(9) The proposed subdivision is in compliance with all other provisions of this Article, the Zoning Ordinance and other ordinances and regulations of the City of Springfield and no substandard tract, parcel or lot will be created.

(10) The proposed subdivision will not result in substantial impact on public infrastructure nor interfere with the maintenance of existing service levels, e.g. additional curb cuts, repaving, etc.

(11) The proposed subdivision is consistent with the surrounding area in terms of the size and dimension of lots previously developed, the layout and design of existing subdivisions and the degree of deviation from previous development.

(12) The administrative re-plat is prepared for recording in accordance with the following standards:

- (i) The document shall be entitled “Administrative Re-plat of Lot ____ of _____ [Prior Subdivision Name]”;
- (ii) The document shall conform to the requirements of Sec. 504; and
- (iii) If private stormwater conveyance and/or detention facilities are proposed to be deferred in accordance with Section 203(1)(c)(12), a plat note shall be included which states: “Construction of private stormwater improvements have been deferred for each of the lots included in this Administrative Re-Plat. All private stormwater conveyance and/or detention facilities are required to be designed in accordance with the design standards adopted by the Department of Public Works and constructed, inspected and approved prior to issuance of building permits.” (G.O. 5668, 4/9/07)

(2) **Lot Combinations:** The Director of Planning and Development has the authority to approve lot combinations in which the configuration of the property is created by the assembly or combination of existing tracts of record under the following circumstances. (G.O. 5740, 2/25/08)

(a) **Court Decree.**

The configuration of the property was created by a court decree or other resulting from testamentary or intestate provisions, or

(b) **Lot Combination – No Substantial Impact.**

A lot combination upon a finding by the Director that the proposed lot combination does not substantially increase the potential for development or does not substantially increase demands on public infrastructure serving existing and proposed tracts, parcels or lots, and the following

conditions are satisfied:

- (1) The proposed lot combination is in compliance with all other provisions of this Article, the Zoning Ordinance and other ordinances and regulations of the City of Springfield and no substandard tract, parcel or lot will be created, and
- (2) The proposed lot combination will not create any tract, parcel or lot which does not meet the minimum lot standards of the zoning district in which it is located, and
- (3) The proposed lot combination shall not cause any construction over a public sanitary sewer line or sewer easement, and
- (4) The proposed lot combination is consistent with the surrounding area. In determining consistency, the size and dimensions of lots previously developed, the layout and design of existing subdivisions and the degree of deviation from previous development shall be considered.

(c) **Lot Combination - Substantial Impact.**

A lot combination upon a finding by the Director that the proposed lot combination substantially increases the potential for development or substantially increases demands on public infrastructure serving existing and proposed tracts, parcels or lots, and the following conditions are satisfied:

- (1) The proposed lot combination is in compliance with all other provisions of this Article, the Zoning Ordinance and other ordinances and regulations of the City of Springfield and no substandard tract, parcel or lot will be created, and
- (2) The proposed lot combination will not create any tract, parcel or lot which does not meet the minimum lot standards of the zoning district in which it is located, and
- (3) The proposed lot combination shall not cause any construction over a public sanitary sewer line or sewer easement, and
- (4) The proposed lot combination is consistent with the surrounding area. In determining consistency, the size and dimensions of lots previously developed, the layout and design of existing subdivisions and the degree of deviation from previous development shall be considered, and

- (5) The proposed lot combination does not include the dedication of a new street or other public way or change in existing streets or alleys, and
- (6) The right of way adjacent to the proposed lot combination meets the widths prescribed by this Article and by the City Traffic Engineer, or the proposed subdivision includes the dedication of additional right of way necessary to provide the prescribed right of way width, and
- (7) The proposed lot combination includes the dedication of any easements determined necessary by the Director of Public Works or to provide utilities to serve the new lots, and
- (8) Each lot of the proposed lot combination subdivision is adequately served by the following improvements:
 - (a) public sanitary sewer,
 - (b) public water facilities, and
 - (c) stormwater drainage and/or detention facilities, whether public or private, and
- (9) Each lot of the proposed lot combination has sidewalks meeting current City standards, or security for the construction of these improvements is provided as set forth in this Section. (G.O. 5740, 2/25/08)

(3) Property Line Adjustment: The Director of Planning and Development has the authority to approve a property line adjustment under the following circumstances: (G.O. 4581, 1/22/96)

- (a) The configuration of the property was created by a court decree or other resulting from testamentary or intestate provisions, or
- (b) Upon a finding by the Director that the proposed property line adjustment is in compliance with all other provisions of this Article, the Zoning Ordinance and other ordinances and regulations of the City of Springfield and no substandard tract, parcel or lot will be created, and that the property line adjustment does not cause any private sewer lateral serving any property to cross another property, and
 - (1) The property line adjustment is necessary to settle a property line dispute as determined by the Director, or
 - (2) The property line adjustment is necessary to correct an

encroachment of a structure on a property line as determined by the Director, or

- (3) The property line adjustment is necessary to meet the minimum requirements of this Article, the Zoning Ordinance or other applicable ordinances or regulations, or
 - (4) The property line adjustment is requested by both adjacent property owners to adjust their common property line provided the adjustment causes no encroachment of either driveway or other structure. (G.O. 4581, 1/22/96)
- (4) **Tract Certification:** The Director of Planning and Development has the authority to approve a property description as a tract, parcel or lot of record under the following circumstances: (G.O. 4066, 8/14/89) (G.O. 4581, 1/22/96)
- (a) The property existed in its present configuration prior to its annexation into the City or prior to March 26, 1956 (the date of the adoption of the present subdivision regulations), or (G.O. 4066, 8/14/89)
 - (b) The subdivision was lawful under this ordinance at the time the existing property description was recorded. (G.O. 4066, 8/14/89)
- (5) **Administrative Condominium Plat:** The Director of Planning and Development has the authority to approve an administrative condominium plat when all of the following requirements are met. (G.O. 5754, 5/19/08)
- (a) The proposed condominium plat is located on a lot of record.
 - (b) The structures are in compliance with all other provisions of this Article, the Zoning Ordinance and other ordinances and regulations of the City.
 - (c) The proposed condominium plat does not increase the intensity of development on the property.
 - (d) The proposed condominium does not require the dedication of a new street or other public way or change in existing constructed streets or alleys.
 - (e) The lot of record on which the structures are located is served by public sanitary sewer and public water facilities.
 - (f) The proposed condominium plat has sidewalks meeting current City standards.

- (g) A declaration of condominium in compliance with the Zoning Ordinance and this Article is approved by the City Law Department.
- (h) The proposed condominium plat sets forth the condominium units and common elements in accordance with the following requirements.
 - 1. Eleven (11) copies or prints, at least one (1) of which must be a black line copy or print, of the proposed condominium plat drawn to a scale of not less than fifty feet (50') to one inch (1").
 - 2. A property description of the property for the proposed condominium, plus a legal boundary survey of the proposed condominium plat which survey shall show traverse bearings and internal angles with dimensions in hundredths of feet. Error of closure shall meet the standards promulgated by the State of Missouri, "Missouri Minimum Standards for Property Boundary Surveys", Division of Geology and Land Survey, Missouri Department of Natural Resources. All bearings shall be referenced to true north or grid north according to the Missouri Coordinate System of 1983, Central Zone. The survey must tie the Administrative Condominium Plat to the Missouri Coordinate System of 1983, Central Zone. The ties are to be on a minimum of two (2) permanent monuments within the plat and the corner used to tie the plat to the United States Public Land Survey corner as recognized by the Bureau of Land Management.
 - 3. The exterior boundary must close within .02 of one foot easting and .02 of one foot northing.
 - 4. The condominium plat must show the location, type, and widths of all easements existing or proposed within the condominium.
 - 5. The condominium plat must show the location of all existing property lines, buildings, sewer or water mains, gas mains or other underground structures, easements or other existing features within the area proposed for the condominium.
 - 6. The condominium plat must show the arrangement, location and dimensions of all proposed or existing lots and units. The condominium plat and condominium declaration must include designation of common elements, and denote common elements on the condominium plat drawing or by plat note.
 - 7. The condominium plat shall show all existing buildings, parking lots,

parking spaces, driveways and all paved areas and other features pertinent to proper division.

8. The condominium plat shall set forth all angular and linear data along the exterior boundaries of the building or buildings located or to be located on the parcel.
9. The condominium plat shall set forth the elevations or proposed elevations at, above or below official datum of the finished or unfinished interior surfaces of the floors and ceilings and the linear measurements of the actual or proposed finished or unfinished interior surfaces of the perimeter walls, and lateral extensions thereof, of every unit or proposed unit in the building or buildings, and the locations or proposed locations of such wall surfaces with respect to the exterior boundaries of the parcel projected vertically upward.
10. Every unit shall be identified on the plat by a distinguishing number or other symbol.
11. The name and address of both the owner and the developer with sufficient data to show ownership, and the name of the land surveyor preparing the condominium plat.
12. Scale, north arrow, date of preparation and other pertinent data.
13. The condominium plat shall be prepared for recording in accordance with the following standards:
 - i. The document shall be entitled with the name of the condominium, designation that it is an administrative condominium, and shall include reference to the underlying lot of record, e.g., “ _____ Condominium, an administrative condominium plat of Lot _____ of _____ Subdivision, Springfield, Greene County, Missouri”;
 - ii. Surveyor’s Certificate on the condominium plat:

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, _____, do hereby certify that
I prepared this plat from an actual survey of the
land herein described in accordance with Section

410.5 of the Subdivision Regulations, Article II, Chapter 36 of the City of Springfield, Greene County, Missouri, the Minimum Standards for Property Boundary Surveys promulgated by the State of Missouri Department of Natural Resources, and that this plat contains all information required by RSMo Section 448.2-109 for condominium plats;

- iii. A signed statement of ownership of common area and common facilities for the condominium referencing the declarations of the condominium and clearly identifying the maintenance obligation of the condominium association and notice requirements, in a form approved by the City Attorney;
- iv. An express dedication to the City of any public easements or right of way shown on the condominium plat; and
- v. If property is conveyed by the plat, a certification that there are no suits, actions, liens, or trusts on the property conveyed herein, and warrant generally and specially all property conveyed by the plat and will execute such further assurances as may be required. (G.O. 5754, 5/19/08)

Section 204. Procedure for Approval of Administrative Subdivisions. (G.O. 4581, 1/22/96)

- (1) Application for administrative approval of a lot division, lot combination, property line adjustment and tract certification shall be filed with the Director of Planning and Development on forms provided by the Director. The Director may require submission of any and all information, material and documents necessary to determine compliance with these regulations. (G.O. 4581, 1/22/96)
- (2) The Director shall review the application and may submit it for review and comment to other agencies and departments as he deems necessary. The Director of Planning and Development shall, in writing, either approve or disapprove the application within thirty (30) days of its submission. (G.O. 4581, 1/22/96)
- (3) If approved, the Director shall sign and furnish a certificate of approval, a certified and acknowledged copy of which shall be filed with the Greene County Recorder of Deeds, the Director of Building Regulations, the City Clerk, the Department of Planning and Development and the applicant. (G.O. 4581,

1/22/96)

- (4) In the event the Director does not approve the application, he shall so inform the applicant in writing. The applicant may then prepare a final plat of the subdivision and proceed to Planning and Zoning Commission and City Council as set forth in Section 205 of these regulations. (G.O. 4581, 1/22/96)
- (5) The Director of Planning and Development is authorized, at his discretion, to require the preparation and submission of a sketch plat, a survey, or the attachment of restrictions and conditions to the property description. (G.O. 4581, 1/22/96)
- (6) Application for administrative approval of a lot division, or a lot combination in which at least one of the two or more tracts to be combined is not a lot in a recorded subdivision, or a property line adjustment in which at least one of the properties involved is not a lot of record in a recorded subdivision and/or there are existing structures on at least one of the properties involved, shall be accompanied by four (4) copies of a survey performed by a Missouri Registered Land Surveyor. The survey shall depict or provide the following: (G.O. 4581, 1/22/96)
 - (a) The precise nature, location and dimensions of existing and newly created tracts, parcels or lots, and
 - (b) The exact location and distances of all structures and other physical improvements in relation to proposed lot lines, and
 - (c) The legal description of all existing and proposed lots, parcels or tracts, and
 - (d) The amount of square footage contained in each existing and proposed lot, parcel or tract, and
 - (e) All existing easements, streets, sewers, sewer laterals, utility lines, alleys and access restrictions. If granted by a separate instrument, the recording information shall be provided, and
 - (f) All platted building setbacks, and
 - (g) All platted easements, streets, alleys or other public rights-of-way that have previously been vacated or relinquished, the ordinance number or recording information for each vacation or relinquishment shall be provided, and
 - (h) Names of all abutting streets including location of right-of-way center line,

and

- (l) Zoning District of subject properties and adjacent properties. (G.O. 4581, 1/22/96)
- (7) Application for administrative approval of the following shall not be required to be accompanied by a survey: (G.O. 4581, 1/22/96)
 - (a) A Lot combination in which all properties to be combined are lots in a recorded subdivision; or
 - (b) A property line adjustment in which all properties involved are lots of record in a recorded subdivision and are vacant.
- (8) Tract Certification: Application for Tract Certification shall be accompanied by the legal description of the property to be certified. (G.O. 4581, 1/22/96)

Section 205. Procedure for Review of Minor Subdivisions Not Subject to Administrative Approval.

- (1) In the event the Director of Planning and Development does not approve the request for a minor subdivision, the subdivider, in order to proceed with subdivision of the land, shall apply to the Planning and Zoning Commission for approval.
- (2) The subdivider shall prepare a Final Plat together with improvement plans and other supplementary material as prescribed in Section 500 of these regulations.
- (3) Copies of the Final Plat and specified supplementary materials, together with a fee for administrative processing, shall be submitted to the Director of Planning and Development. The application shall be in writing on forms provided by the Director. Upon a determination that the application is complete, the Director shall place the application on the agenda of the Commission at a regular meeting not later than the third such meeting following the date of filing of the application.
- (4) The Commission shall hold a public hearing on the Final Plat. Notice of the public hearing shall be made in accordance with City ordinance and the rules of the Commission.
- (5) The Commission shall review the Final Plat and supplementary material, any recommendations from agencies or officials, and testimony and exhibits submitted at the public hearing. The Commission shall approve, with conditions,

or disapprove the Final Plat. If approved, the Commission shall express its approval and state the conditions of its approval, if any. If disapproved, the Commission shall express its disapproval and its reasons therefor. In any case, a notation of the action taken and the reasons therefor shall be entered in the records of the Commission.

- (6) If approved or approved with conditions acceptable to the applicant, then the Final Plat and supplementary material along with a record of the Commission proceedings shall be forwarded to the City Council for its consideration.
- (7) If approved by City Council, the Director of Planning and Development and the City Clerk shall affix their signatures to the plat.
- (8) If the request is disapproved, the applicant may appeal to the City Council within 90 days after Commission action.

Section 206. Major Subdivision Review Procedure.

All subdivision of land not otherwise classified as a minor subdivision shall be classified as a major subdivision and subject to the procedures prescribed in this section.

(1) Sketch Plat

The applicant may, upon payment of the prescribed fee and at its option, submit a sketch plat and supporting information prior to the preliminary plat which sketch plat and supporting information shall conform to Section 502 and be reviewed by the City staff. The City staff shall prepare a report for the applicant which shall be placed in the file. Any fees paid by the applicant for review of the sketch plat shall be applied against the fees for the preliminary plat if the applicant applies for a preliminary plat within one year of the date of the sketch plat report.

(2) Pre-subdivision Review

Prior to application for preliminary plat review, the applicant or applicant's agent shall participate in a Pre-subdivision Review with City staff regarding the procedure for approval of a subdivision plat, the design standards and improvement requirements prescribed by these regulations and other issues relevant to the property proposed for subdivision. (G.O. 5540, 4/17/06)

(3) Preliminary Plat

- (a) After participating in the Pre-subdivision Review with City staff, the

Subdivider may prepare a Preliminary Plat, together with supplementary material as prescribed in Section 503. (G.O. 5540, 4/17/06)

- (b) Copies of the Preliminary Plat and supplementary materials specified, together with a fee for administrative handling and processing in the amount prescribed by ordinance, shall be submitted to the Director of Planning and Development with written application for approval. Upon determination that the application is complete, the Director shall place the application on the agenda of the Commission at a regular meeting not later than the second such meeting following the date of the filing of the application.
- (c) The Commission shall hold a public hearing on the Preliminary Plat. Notice of the public hearing shall be made in accordance with City Ordinance and the rules of the Commission.
- (d) The Commission shall review the Preliminary Plat and supporting material, recommendations from agencies or officials, and testimony and exhibits submitted at the public hearing. The Commission shall approve, conditionally approve or disapprove the Preliminary Plat and if approved, the Commission shall express its approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons therefore. In any case, a notation of the action taken, and the reasons therefore, shall be entered in the records of the Commission.
- (e) If approved by the Commission or approved with conditions acceptable to the applicant, then the Director of Planning and Development shall forward the Preliminary Plat to the City Council for its approval. Council shall determine if the land or easement proposed to be dedicated by the applicant for public use or if the public improvements shall be accepted by the City. If the City Council determines that the location of the land to be dedicated for public use or the location of public improvements is appropriate and complies with applicable ordinances then the City Council shall authorize the acceptance of the dedication of the land or easements upon the applicant filing and recording a final plat which substantially conforms to the preliminary plat and shall authorize the acceptance of the public improvements upon the Director of Public Works certifying to the Director of Planning and Development and the City Clerk that the public improvements have been made in accordance with City standards and specifications. (G.O. 4675, 2/3/97)
- (f) If approved with modifications which are not acceptable to the applicant or if disapproved, the Director of Planning and Development shall attach to the Plat a statement of reasons for such action and return it to the subdivider.

- (g) Actions by the Commission regarding the Preliminary Plat are final unless such action is appealed by the subdivider to the City Council within ninety (90) days of the action by the Commission. (G.O. 4675, 2/3/97)
- (h) Effective Period of Preliminary Approval. (G.O. 5029, 11/13/2000)
 - (1) The approval of a Preliminary Plat shall be effective for a period of two (2) years. The application for Final Plat approval must be submitted to the Department of Planning and Development within the two (2) year period. Any plat not submitted within the two (2) year limit shall be null and void except as provided in subparagraphs (b) and (c) below.
 - (2) The Planning and Zoning Commission may at its discretion and upon application by the subdivider extend the effective period of preliminary approval by two (2) years, an indefinite number of times.
 - (3) Submission of the Final Plat for any portion of a subdivision shall automatically validate the remainder of the Preliminary Plat for a period of two (2) years from the date the Final Plat is submitted.
- (i) No person shall present testimony to Council which is substantially and materially different from that presented to the Commission at its hearing on the matter, and no exhibit will be accepted by Council that has not been presented to the Commission at its hearing on the matter. However, this Subsection is not intended to prevent the introduction of new testimony, new exhibits, or other new evidence when there is a clear showing, as determined by a majority of Council, that the introduction of such evidence before the Commission was not in good faith reasonably possible. (G.O. 4675, 2/3/97)
- (j) Should a person present testimony that is substantially or materially different from that presented to the Commission at its hearing on the matter or should an exhibit be offered that has not been presented to the Commission at its hearing on the matter, subject to the exception contained in Subsection 206(I), any person on the opposing side of the matter before Council may claim prejudice from such presentation or offering, and Council shall upon such a claim have sole discretion to determine whether the person claiming prejudice has in fact been prejudiced from such presentation or offering. Upon a determination that prejudice exists, Council shall refer the matter back to the Commission for a new notice and hearing. (G.O. 4675, 2/3/97)

(4) Final Plat

- (a) After approval of the Preliminary Plat, the subdivider shall prepare a Final Plat together with improvement plans and supplementary material as prescribed in Section 504. The Final Plat shall conform substantially to the Preliminary Plat as approved.
- (b) The subdivider shall make application for Final Plat review upon forms provided by the Director of Planning and Development. The application, along with the prescribed number of copies of the Final Plat and required supplementary material and fee for administrative processing in an amount prescribed by ordinance shall be submitted to the Director of Planning and Development.
- (c) The Director of Planning and Development shall determine if the application is complete and if the Final Plat substantially conforms to the Preliminary Plat, including the conditions of approval if any, and upon such findings, he may approve the plat and upon such approval the plat may be recorded upon the applicant satisfying conditions for the recording of plats.
- (d) In the event the Director determines that the Final Plat does not substantially conform to the Preliminary Plat, including conditions of approval, if any, then the Director shall reject the plat and state his reasons for such rejection in writing to the developer. The developer may appeal such decision to the Commission within 90 days from the date of the rejection. In such event, the Director shall forward his recommendation to the Commission along with his reasons therefor and supporting information.
- (e) The Commission shall review the Final Plat and supporting material, the recommendations of the Director of Planning and Development, recommendations from agencies or officials and testimony and exhibits submitted at the public hearing to determine if the Final Plat substantially conforms to the Preliminary Plat. The Commission shall approve, approve with conditions or disapprove the Final Plat. If approved, the Commission shall express its approval and state the conditions of such approval if any, or if disapproved, shall express its disapproval and its reason therefor. In any case, a notation of the action taken, and the reasons therefor shall be entered in the records of the Commission.
- (f) If approved by the Commission, the Final Plat may be recorded upon the applicant satisfying conditions for recording the plats. If disapproved by the Commission, such action is final unless appealed to the City Council. Such appeal shall be made by the subdivider and shall be filed within ninety (90) days of action by the Commission. Review by the City Council shall be limited to a determination as to whether or not the Final Plat

substantially complies with the Preliminary Plat.

- (g) Upon review of the Final Plat and supporting material, recommendations of the Commission, recommendations of the Director of Planning and Development, recommendations from agencies or officials, and testimony and exhibits submitted at the public hearing, the City Council shall determine if the Final Plat substantially conforms to the Preliminary Plat.
 - (h) If approved, the Director of Planning and Development and the City Clerk shall affix their signatures to the Plat and the Plat may be recorded upon the applicant satisfying conditions for recording of plats.
 - (l) If disapproved, the Director of Planning and Development shall attach to the Plat a statement of the reasons for such action and return it to the subdivider.
- (5) **Sectionalizing of Major Subdivision Plats Permitted.** The Final Plat for any major subdivision that has received preliminary approval may be submitted in section or phases provided: (a) each section or phase satisfies the requirements set forth in these regulations and other City ordinances; (b) all required improvements are provided for the section or phase along with any other improvements necessary to the subdivision's orderly development and to the utility of lots within the subdivision; and (c) adequate assurances are made for completion of the section or phase in accordance with Section 300 of these regulations. The Director of Planning and Development shall determine if the proposed sectionalization or phasing of the Final Plat satisfies these requirements.

Section 207. Cluster Subdivision Review Procedure. (G.O. 3374)

- (1) Cluster subdivision applications submitted pursuant to Division 14, Article I, The Zoning Article shall be in all cases classified as major subdivision applications and subject to those procedures established by Section 206 of this Article.
- (2) Sketch plat submission and review shall be mandatory for cluster subdivision applications.
- (3) An approved preliminary subdivision plat for a cluster development shall constitute the site plan for development of the subject property. Final plat(s) shall substantially conform to the preliminary subdivision plat.
- (4) The variations and modifications from the standard requirements of the applicable zone regulations shown on an approved preliminary subdivision plat may be:

- (a) Amended upon petition by the applicant for subdivision;
- (b) Amended upon petition of a subsequent owner who is not subdividing the property; or
- (c) Withdrawn by the applicant at any time prior to the effectuation of the plan. Effectuation of the plan shall be deemed to have occurred when a final plat defining cluster open space is filed in the County Land Records or when construction of structures has been commenced on the site, whichever event occurs first.

Section 300. Assurance for Completion and Maintenance of Improvements.

Section 301. General.

Improvements may be installed only in accordance with a Final Plat that has been approved in accordance with the provisions of this ordinance. Said improvements must be in accordance

with construction plans approved by the Director of Public Works and with the provisions of this ordinance.

Section 302. Subdivision Improvement Guarantees.

Completion of the required improvements may be assured by one or more of the methods prescribed in this section.

Section 303. Improvements.

- (1) Before the final plat of any subdivided area shall be recorded, the subdivider shall provide for the improvements described in this section to be extended to all lots in the area to be included in the final plat at no cost to the City.
- (2) In lieu of the final completion of said improvements before the plat is recorded, the subdivider or other person who agrees with the City to make the public improvements on behalf of the subdivider, may post a surety bond with one or more corporate sureties engaged in the business of signing surety bonds in the State of Missouri, an escrow agreement, letter of credit or other appropriate security agreement, approved by the City Attorney and the City Manager of the City of Springfield, which surety, escrow agreement or other appropriate security agreement will insure to the City that the improvements will be completed by the subdivider. Construction of private storm water drainage or detention facilities may be deferred to time of development and prior to issuance of a building permit, provided that:

(a) a plat note is included on the plat filed in the Recorder's Office requiring the construction of the private stormwater drainage or detention facilities; and

(b) the Director of Public Works has approved preliminary design plans sufficient to show that the proposed private facilities can be engineered to function as proposed.

Public stormwater drainage or detention facilities shall be constructed to minimum standards as determined by the Director of Public Works. All improvements, except sidewalks, must be completed within one year after the recording of the subdivision plat. Sidewalks must be completed within three years after the recording of the subdivision plat. The Director of Public Works may require that certain improvements, such as stormwater management improvements, be made and refuse to accept security for such improvements when he determines the improvements are necessary for the immediate protection of the adjacent property. The Commission may, upon proof of hardship, extend the completion date set forth in said bond or agreements for a maximum period of one additional year; provided a request for said extension is made prior to the end of the one year following recordation and provided the amount of said security is revised pursuant to a revised estimate by the Department of Public Works. The City Attorney and City Manager, acting in conjunction, may at any time during the period of such bond accept a substitution of principal or sureties on the bond or a substitution of a letter of credit, escrow or other approved security agreement. The amount of the corporate surety bond, escrow agreement, or other appropriate security agreement shall not be less than the estimated cost of the improvements, said estimate of cost to be made by the Department of Public Works. The Commission may defer at the time of final approval, subject to appropriate conditions, the provision of any and all such improvements as, in its judgment, are not appropriate because of incompatible grades, future planning, inadequate or lack of connecting facilities, or other reasons. As a condition of deferral, the subdivider shall pay his share of the costs of the future improvements to the City prior to the signing of the final subdivision plat, or the subdivider may post an appropriate security approved in the same manner as stated above which shall insure completion of said deferred improvements upon demand by the City. If the improvements are not completed within the specified time, the City Council may use the funds from said security, or any necessary portion thereof, to complete the same. (G.O. 5668, 4/9/07)

- (3) The release or reduction of said corporate surety bond, escrow agreement or other appropriate security agreement shall be in accordance with the following:
- (a) When a petition for improvements by the tax bill method is filed for the improvements of this section and when said petition has passed the required remonstrance petition assuring the City that all improvements will

be installed, said bond or agreements posted by the subdivider to insure the City the improvements of this section may be released and returned to the subdivider.

- (b) The Director of Public Works may release or reduce said bond or agreements posted by the subdivider to insure to the City the improvements of this section when he has determined that all required improvements have been satisfactorily completed and the subdivider's engineer or surveyor has certified to said Director, through submission of a detailed "as-built" survey plat of the subdivision indicating location, dimensions, materials and other information required by said Director, that the layout of the line and grade of all public improvements are in accordance with construction plans for the subdivision and that the improvements have been completed, are ready for dedication to the local government, and are free and clear of any and all liens and encumbrances. (G.O. 3906, 3/14/88)
- (c) The Director of Public Works may reduce upon request, said bond or agreements when he has made the findings and received the information required in the above subsection (b), but such reduction shall not exceed the ratio that the cost of completed improvements bears to the total estimated cost of total public improvements for the plat. (G.O. 3708) (G.O. 3906, 3/14/88)
- (4) (Refer to Article IV of Chapter 36, Section 36-417, Detention. G.O. 4462, 10/17/94)
- (5) Notwithstanding any other provisions of this Article, whenever any sidewalk is required to be constructed in a subdivision, and the sidewalk has not been completed at the time of recording the final plat for the subdivision, the subdivider shall submit to the City, the cost of construction of such sidewalks in an amount estimated by the Director of Public Works as necessary to complete such work, in cash or a cashier's check. The City shall construct the sidewalks at such time as deemed reasonable and appropriate, but in no event later than three (3) years after recording of the final plat. Provided, however, that the Director of Public Works may authorize any subdivider to construct sidewalks, and upon acceptance of the sidewalks, the City will return the funds deposited by the subdivider in accordance with this section and Section 31-4.3 of the Springfield City Code. (G.O. 3735)
- (6) (Refer to Article IV of Chapter 36, Section 36-417, Detention. G.O. 4462, 10/17/94)
- (7) Notwithstanding other provisions of this Article, a variance from sidewalk requirements may be granted, conditioned upon payment of a fee in lieu of

construction. Such fees shall be equal to the City's average cost of publicly bid sidewalk construction, as determined by the Director of Public Works, and shall be paid in cash or cashier's check. Said payment figure shall be determined annually by the Director of Public Works and shall be based on the average cost of all public sidewalks bid and constructed in the previous three years. After collection, fees shall be used to construct sidewalks in the same elementary school district where the platted subdivision is located and shall be included in the next approved capital improvements program as funded items. In no event shall payment of the fee in lieu of construction of a sidewalk be waived by the Planning and Zoning Commission.

In addition to the normal conditions for variance approval of Section 106, the Planning and Zoning Commission may also favorably consider the request if:

1. The street is edged by a shoulder and ditch rather than a curb and gutter.
2. No sidewalks exist on adjoining properties or in the neighboring area.
3. The City plans to construct public improvements in the area which would result in damage or destruction of the proposed sidewalk.
4. The cost to construct the proposed sidewalk would be at least twenty-five (25%) percent greater than the average cost of sidewalk construction. (G. O. 5234, 11/18/2002)

Section 304. Withholding Improvements Until Approved.

- (1) The City, its Boards, Commission and agents shall withhold all city improvements or services of whatsoever nature, including the furnishing of sewer, water, electricity and gas from all additions which have not been approved as provided by these regulations; and further, no permits shall be issued by the Building Inspector of the City of Springfield on any property which has not been approved as provided by these regulations. (G.O. 3599)
- (2) Provided, however, the improvements and permits withheld above shall not be withheld by reason of the conditions therein stated when the Commission finds one of the following situations to exist:
 - (a) A tract of land under separate ownership prior to the passage of this ordinance which is a portion of a larger tract of land which has been subdivided into separate ownerships prior to the passage of this ordinance in such a manner that there is no workable subdivision plan apparent.

- (b) A tract of land so improved and/or so situated that to conform to the right-of-way requirements of the Master Thoroughfare Plan would result in extraordinary loss to the property owners.
- (c) Where improvements are necessary to comply with other ordinances of the City of Springfield which carry a penalty for failure to comply.
- (d) Where leased property lies on railroad right-of-way and such property is adequately served by streets and utility easements.

Section 400. Requirements for Improvements, Reservation and Design.

Section 401. General Improvements.

- (1) **Conformance to Applicable Rules and Regulations.** In addition to the requirements established herein, all subdivision plats shall comply with the following laws, rules, and regulations:
 - (a) The Zoning Ordinance, building and all other applicable laws of the municipality.
 - (b) The intent of the Master Plan and the Capital Improvements Program of the municipality including all street, drainage, water and sewage systems as shown by the Master Plan, as adopted.
 - (c) Any laws, rules and regulations of the City-County Health Department and/or appropriate State agencies.
 - (d) The rules of the State Department of Transportation if the subdivision, or any lot contained therein, abuts a State highway or connecting street.
 - (e) The standards and regulations adopted by all boards, commissions, agencies, and officials of the municipality.
 - (f) Plat approval may be withheld if a subdivision is not in conformity with the above guides, and with the policies and purposes of these regulations as established in Section 100 of these regulations.
- (2) **Self-Imposed Restrictions.** If the owner places restrictions on any of the land contained in the subdivision greater than those required by the Zoning Ordinance or these regulations, such restrictions or reference thereto should be indicated on the subdivision plat.

- (3) **Plats straddling Governmental Boundaries.** Whenever access to the subdivision is required across land in another local government's jurisdiction, the Planning Commission may request assurance from the City Attorney that access is legally established, and from the Director of Planning and Development that the access road is adequately improved, or that the applicant has fully executed a performance bond of sufficient quantity to assure the construction of the access road. Whenever possible, lot lines should conform to municipal boundary lines.

Section 402. Subdivision Name.

The proposed name of the subdivision shall not duplicate nor too closely approximate phonetically the name of any other subdivision in the area covered by these regulations. The City Council shall have final authority to approve the name of the subdivision which shall be a part of the Preliminary Plat approval process.

Section 403. Streets.

- (1) **Conformity.** The arrangement character, extent, width, grade and location of all streets shall conform to the Official Map and Master Plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. Where not shown on the Official Map or Master Plan, the arrangement and other design standards of streets shall conform to the provisions found herein.
- (2) **Relation to Adjoining Street System.** The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas.
- (3) **Projection of Streets.** Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provision for the proper projection of streets.
- (4) **Streets to Be Carried to Property Lines.** When a new subdivision adjoins unsubdivided land susceptible to being subdivided, new streets shall be carried to the boundaries of such tract.
- (5) **Street Jogs Prohibited.** Street jogs with centerline offsets of less than 150 feet shall be prohibited.
- (6) **Dead-end Street or Cul-de-Sac.** Dead-end streets or cul-de-sacs, designed to be permanently, shall not be longer than 800 feet and shall be provided at the

closed end with a turn-around having an outside roadway diameter of at least 80 feet and street property line diameter of at least 100 feet. If a dead-end street is of a temporary nature, a similar turnaround shall be provided and provisions made for future extension of the street into adjoining properties. The Director of Public Works may approve at his discretion and in accordance with established standards and sound engineering principles, alternate turnaround standards and sound engineering principles, alternate turnaround configurations if necessary to achieve improved traffic circulation and better utilization of the land. The Director of Public Works shall promulgate standards for alternate turnaround configurations.

- (7) **Marginal Access or Service Streets.** Where a subdivision abuts or contains an existing arterial street or highway the Commission may require marginal access streets or other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- (8) **Minor Streets.** Minor streets shall be so laid out that through traffic will be discouraged.
- (9) **Right-of-way Widths.** Right-of-way widths shall not be less than as follows:

<u>Street Type</u>	<u>Right-of-Way Width</u>
Expressway	130 feet
Arterial-Primary	100 feet
Arterial-Secondary	70 feet
Collector	60 feet
Collector-Local	50 feet
Local-Commercial/Industrial	60 feet
Local - Residential	50 feet
Marginal Access	40 feet
Residential Connector	40 feet (G.O. 5652, 2/12/07)
Downtown Streets	Additional right-of-way not required (G.O. 5665, 4/9/07)

Additional right-of-way over what is required above shall not be required except where the Director of Public Works determines the need for more and City Council approves. (G.O. 5665, 4/9/07)

- (10) **Street Widths.** Street widths shall be in accordance with standards promulgated by the Director of Public Works and consistent with the street's classification and its intended function.
- (11) **Intersections.** Street intersections shall be as nearly at right angles as practicable.

- (12) **Corner Radius.** At each street intersection the property line at each block corner shall be rounded with a curve having a radius of not less than fifteen (15) feet.
- (13) **Subdivision into Tracts Larger Than Ordinary Building Lots.** Where a tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow the opening of future streets and future subdivision.
- (14) **Reserve Strips.** Reserve strips controlling access to streets shall be prohibited except under conditions approved by the Planning Commission and City Council.
- (15) **Street Grades.** Street grades shall be in accordance with specifications set forth in City of Springfield Design Standards for Public Improvements.
- (16) **Railroad on or Abutting Subdivision.** Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Commission may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with due regard for the requirements of approach grade separation.
- (17) **Half-Street Prohibited.** Half-streets shall be prohibited except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations where the Commission finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever a half-street is adjacent to a tract to be subdivided, the other half street shall be platted within such tract.
- (18) **Street Names and Numbers.** Names of new streets shall not duplicate existing or platted street names unless a new street is a continuation of, or in alignment with the existing or platted street. In such cases, it shall carry the name of the existing street. House numbers shall be assigned in accordance with the House Numbering System in effect in the city.
- (19) **Access to Streets Across Ditches.** The subdivider shall provide access from all platted lots to all proposed streets, across all ditches, in accordance with standards of the Public Works Department.
- (20) **Vacation of Streets.** The Commission shall not recommend the vacation of any street or part of a street dedicated for public use if a vacation will interfere with access to the public street of any abutting property or with the uniformity of the existing street pattern or any further street plans for the area.

- (21) **Private Streets.** Private streets are discouraged and may be permitted only where the Council finds: (a) that private ownership, control and maintenance of street right-of-way is integral to the design and function of the subdivision; (b) provision has been made for the continuing and adequate maintenance of such streets; (c) there is evidence that the property rights, including rights of access of persons purchasing land within and adjacent to the subdivision, are safeguarded to the degree they would be protected if the streets were dedicated to the public; (d) the public interest and welfare is not jeopardized. Private streets shall be improved in accordance with city standards and specifications.
- (22) **Hardship to Owners of Adjoining Property Avoided.** 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.
- (23) **Street Signs.** Street signs shall be provided in the subdivision by the subdivider in accordance with the standards of the Director of Public Works. The subdivider may either install the signs or pay the City the City's actual cost to install said signs. (G.O. 5207, 8-12-2002)

Section 404. Alleys.

- (1) **Commercial and Industrial Districts.** Alleys shall be provided in commercial and industrial districts, except that requirements for such alleys may be waived where other definite and assured provision is made for service access, such as off-street loading, and parking consistent and adequate for the uses proposed.
- (2) **Width.** The right-of-way width of an alley shall be 20 feet.
- (3) **Dead-end.** Dead-end alleys shall not be permitted, except that the Commission may waive this requirement where such dead-end alley is unavoidable and where adequate turnaround facilities have been provided.
- (4) Where two alleys intersect, a cut-off of not less than 10 feet along each property line from the normal intersection of the property lines shall be provided.

Section 405. Easements.

- (1) An easement for utilities, at least 5 feet wide, shall be provided along the side or the rear line of lots where necessary to form a continuous right-of-way, at least 10 feet in width. If necessary for the extension of water main or sewer lines, or similar utilities, easements of greater width may be required along lot lines or across lots.

- (2) Utility easements shall connect with easements established in adjoining properties.
- (3) Where overhead power or telephone lines are to be provided, additional easements for pole guys shall be provided at the outside of turns. Where possible, lot lines shall be arranged to bisect the exterior angle so that pole guys will fall alongside lot lines.
- (4) Drainage easements for storm sewers may be required. Easements for open channel drainage may be required where the cost for the installation of storm sewers is considered to be prohibitive. These easements may be along side lot lines, but usually the design should be such that the drainage will be carried along the rear of the lots. If open channel drainage is to be carried in the street right-of-way, additional right-of-way width shall be provided. When the drainage is carried down the rear lot lines, the easement shall be of adequate width for service vehicles and equipment to enter the easement. The size and location of such easements for open channel drainage shall be determined by the Director of Public Works.
- (5) A drainage easement in addition to the provided right-of-way may be required where streets parallel streams or drainage areas. The width of such drainage easements shall be determined by the Director of Public Works.

Section 406 Blocks.

- (1) **Factors Governing Dimensions.** Block length and width or acreage within bounding roads shall be such as to accommodate the size of lot required in the area by the Zoning Article and to provide for convenient access, circulation, control and safety of street traffic.
- (2) **Lengths.** Block lengths shall not exceed 1320 feet, nor be less than 300 feet, except under unusual conditions.
- (3) **Arrangements.** A block shall be so designed as to provide two tiers of lots.
- (4) **Crosswalks.** In blocks over 1320 feet long, pedestrian crosswalks may be required in locations deemed necessary to public health, convenience and necessity. Such crosswalk shall be not less than six feet in width.

Section 407. Lots.

- (1) **Dimensions.** The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

- (a) Lot dimensions shall conform to the requirements of the Zoning Article if such requirements are more stringent, otherwise lot dimensions shall be as follows:
- (1) Residential lots shall be not less than 6,000 square feet in area and shall not be less than 50 feet in width at the building line.
 - (2) Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated but in no case shall the lot frontage on a public street be less than 36 feet.
- (2) **Location.** All lots shall abut by their full frontage on a publicly dedicated street or a street that has received legal status as such.
 - (3) **Lines.** Side lot lines shall be substantially at right angles to straight street lines or radial to curved street lines.
 - (4) **Corner Lots.** Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both streets. Lots abutting on a pedestrian walk-way shall be treated as a corner lot.
 - (5) **Lots Subject to Flooding.** Lots subject to flooding and deemed by the Commission to be uninhabitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property or aggravate the flood hazard, but such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.
 - (6) **Lot Remnants.** All remnants of lots below minimum size left over after subdividing of a tract must be added to adjacent lots, rather than allowed to remain as unusable parcels.
 - (7) **Double frontage and reverse frontage lots,** shall be avoided except where essential to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography and orientation. A planting-screen reservation of at least ten feet, and across which there shall be no right of access, shall be provided along the line of lots abutting such an arterial street or other disadvantageous use. A solid fence or other improvement (including walls, plantings, open fencing and plantings, or berms) shall be built and shall be depicted on the preliminary plat and installed by the subdivider within said reservation.

- (8) **Building Lines.** Shall be shown on all lots intended for residential use and in some cases may be required on lots intended for business use, and shall provide at least the setback required by the Zoning Article.
- (9) **Larger Lots.** Where the area is divided into larger lots than for normal urban building sites subdivision shall be such that the alignment of future streets may conform to the general street layout in the surrounding area.

Section 408. Public Sites and Open Spaces.

- (1) **Shown on Master Plan.** Where a proposed park, playground, school or other public use shown in a Master Plan is located in whole or in part within a subdivision, the subdivider shall dedicate or reserve adequate space for such purpose in such area within the subdivision when the Commission finds the requirement to be reasonably necessary to the public health and welfare.
- (2) **Commission's Action Not Constituting Acceptance.** The requiring or the dedication of public spaces as provided in (1) above shall not constitute an acceptance of the dedication by the City.

Section 409. Flood Areas.

- (1) Special provisions shall apply within Zone A on the City's Flood Insurance Rate Maps or Flood Hazard Boundary Maps, and within such parts of Zones B and C on said Maps as are required by the Director of Public Works to be protected. In these areas, subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in an area of special flood hazard (as defined in BOCA Code Sec. 2102 and regulations thereunder), any such proposal shall be reviewed to assure that:
 - (a) All such proposals are consistent with the need to minimize flood damage;
 - (b) All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize flood damage: and
 - (c) Adequate drainage is provided to reduce exposure to flood hazards.
- (2) All preliminary and final plats, and all other subdivision proposals and proposed new development (including minor subdivisions and proposals for manufactured

home parks or subdivisions) shall include within such proposals base flood elevation data.

- (3) Development within areas shown on the City's Flood Insurance Rate Maps or Flood Hazard Boundary Maps as Zone A, or specified by the Director of Public Works as an area to be protected within Zones B and C, shall be governed by the provisions of the BOCA Code and regulations adopted thereunder.
- (4) The Director of Public Works shall have authority to designate areas within Zones B and C as areas which are unsuitable for development, and must be preserved as open space. (G.O.4026, 5/8//89)

Section 410. Improvements.

The improvements required in any subdivision shall be in accordance with the following subsections and shall conform to the City of Springfield Design Standards for Public Improvements which is hereby adopted as the design standards for public improvements required by this Article, a copy of which is in file with the City Clerk as a part of this ordinance.

- (1) The subdivider shall grade and pave all new streets and alleys (if any) within the subdivision area. The paving on such streets and alleys shall be in accordance with the standards and specifications of the Department of Public Works.
- (2) The subdivider shall, wherever necessary, grade any portion of the property subdivided into lots so that each lot will be usable and suitable for the erection of residential or other structures thereof.
- (3) If outlets are within reasonable distance, the subdivider shall install storm water and sanitary sewers and provide a sanitary sewer connection for each lot. Such installation shall be in accordance with the standards and specifications of the Department of Public Works and before the improvements are started the plan therefor shall be approved by the Department of Public Works. In addition, when such sewers are not available, the subdivider shall install within the subdivision capped sewer mains and house connections to each lot in addition to other required onsite sewer facilities. Such installation shall be in accordance with the standards and specifications of the Department of Public Works; and, before the improvements are started, the plan therefor shall be approved by the Department of Public Works. If no outlets are within reasonable distance, the subdivider shall make such provisions for sanitation as will satisfy the Department of Building Regulations and before the plat shall be approved, the subdivider shall present to the Commission an order from the Department of Building Regulations showing that the provisions will properly care for and

protect the health, safety, and welfare of the existing and probable future population within the subdivision and surrounding area.

- (4) The detailed plans for the proper disposal of storm water affecting the proposed subdivision shall show the location of all open drainage channels, together with such improvements which may be necessary, such as detention basins or the widening, straightening, surfacing or other improvements of such channels, reconstruction or construction of new bridges or culverts, and the construction of all underground enclosed pipe sewers and surface accessories necessary to efficiently carry off the storm water and prevent ponding on the surface of the proposed subdivision and adjacent properties. The plans for these facilities shall be shown both in plan and profile with details of all necessary accessories and in conformance to the "City of Springfield Design Standards for Public Improvements". The data regarding the area to be served by the facilities and the estimated run-off from the area tributary to the facilities beyond the subdivision shall accompany the detailed plans.
- (5) **Permanent Markers and Monuments.** Markers and monuments shall conform to the "Missouri Minimum Standards for Property Boundary Surveys" promulgated by the Division of Geology and Land Survey, Missouri Department of Natural Resources.
- (6) **Sidewalks.** Sidewalks are required as follows: (G.O.5234, 11/18/2002)
 - (a) In residential zoning districts, and within planned development districts permitting uses from residential zoning districts, four (4) foot wide sidewalks are required on all public and private streets within, or adjacent to, a proposed subdivision. Sidewalks are normally placed one (1) foot inside the right-of-way line and located as follows:
 - (1) On one (1) side of all local streets where the design density is five (5) dwelling units or less per net acre, on residential connector streets regardless of the density and on all cul-de-sacs in R-SF and R-TH Districts fronted by six (6) or less single-family detached, single-family semi-detached or duplex dwelling units regardless of the design density of the subdivision.
 - (2) On both sides of all local streets where the design density is more than five (5) dwelling units per net acre except on cul-de-sacs in R-SF and R-TH Districts fronted by six (6) or less single-family detached, single-family semi-detached or duplex dwelling units or less.

- (3) On both sides of all collector and arterial streets and on both sides of all local streets for all other uses.
- (b) In nonresidential zoning districts, except CC and GI zoning districts, and within planned development districts permitting nonresidential uses, four (4) foot wide sidewalks are required on all public and private streets within, or adjacent to, a proposed subdivision. Sidewalks are normally placed one (1) foot inside the right-of-way line and located as follows:
 - (1) On one (1) side of all local streets.
 - (2) On both sides of all collector and arterial streets, except on collector streets within RI, LI, GM and HM zoning districts.
 - (3) On one (1) side of collector streets within RI, LI, GM and HM zoning districts.
 - (c) In CC and GI zoning districts, and within planned development districts permitting nonresidential uses found within the CC and GI zoning districts and which are meant to resemble the intent of those two zoning districts, four (4) foot wide sidewalks are required on all public and private streets within, or adjacent to, a proposed subdivision. Sidewalks of up to ten (10) feet in width may be required where:
 - (1) Existing sidewalks on adjoining properties or in the near vicinity exceed four foot (4') widths and it is appropriate to match the existing widths; or
 - (2) The expected intensity of development, volume of pedestrian traffic or location of buildings directly adjacent to the right-of-way make wider sidewalks appropriate.
 - (d) Planning and Zoning Commission may designate on which side of a street the sidewalk will be constructed when a sidewalk is required on a single side.
 - (e) When planned development districts allow a mixture of residential and nonresidential uses, the Planning and Zoning Commission shall designate when sidewalks are required on both sides of the streets.
 - (f) Sidewalks shall normally be placed one (1) foot inside the street right-of-way line and shall be separated from the street curb by a strip of pervious area. The placement of sidewalks adjacent to street curbs is discouraged except in CC or GI zoning districts where existing sidewalks on adjoining properties or in the near vicinity are adjacent to street curbs and it is appropriate to match the existing placement.

- (g) Where a sidewalk is required only on one side of a cul-de-sac street, the sidewalk shall either be extended until it intersects with the bulb of the cul-de-sac, with a wheel chair ramp constructed to the street, or extended until it intersects with the first driveway within the bulb of the cul-de-sac.
- (h) In lieu of sidewalks located adjacent to streets, Planning and Zoning Commission may approve sidewalks located in other areas within a proposed subdivision if considered as part of an overall development plan which integrates the internal site circulation with the public circulation system. Any alternative sidewalk system will:
 - (1) Be open to the public at all times; and
 - (2) Be located within easements acceptable to the City of Springfield when not located on right-of-way; and
 - (3) Be approved as part of a preliminary plat with a subdivision variance without the need to pay a fee-in-lieu if it can be demonstrated by the developer how the internal sidewalks will be a complete pedestrian system by providing the same or better pedestrian accessibility and connections to every lot within the proposed subdivision as sidewalks required by this section provided on right-of-way and which internal sidewalks reconnect to the existing or required public sidewalk system on adjoining property or right-of-way; and
 - (4) Meet all Public Works and ADA accessibility standards for public sidewalks and which shall be a minimum of four (4) feet in width unencumbered or unobstructed by gates, vehicles or other obstructions; and
 - (5) Be maintained by the property owner if the internal sidewalks are located on a single tract of land or by a duly approved property owners association if the internal sidewalks are located on two or more tracts of land; and
 - (6) Connect to a public sidewalk system which either exists or is provided by the subdivider and which will provide the same access to pedestrians from outside the property being subdivided.
- (i) A sidewalk is not required on that portion of a public or private street whose right-of-way directly abuts State Highway right-of-way and the State right-of-way is classified as a freeway by the Major Thoroughfare Plan.

- (7) **Crosswalks.** A crosswalk may be required whenever a proposed or existing block exceeds thirteen hundred and twenty (1320) feet in length or where necessary to provide direct access to a school or other public facility. Crosswalks shall be not less than six (6) feet in width in a six (6) foot right-of-way and shall be constructed in accordance with City standards. (G.O. 2796, 2/27/78)
- (8) The subdivision of property zoned as “R-1, Single-Family” or “R-2, Two-Family” into tracts of ten (10) acres or larger shall be exempt from the requirements of the Section unless such improvements are otherwise specifically required by ordinance or regulation.

Section 411. Access Criteria for Major Streets

- (1) **All Streets.** All existing tracts of record are guaranteed at least one driveway to a public street, either directly or by access easement, except as set forth below.
- (2) **Collector Streets.** Access to existing properties fronting on collector streets is subject only to design and construction standards. However, when new tracts are created through the subdivision process, residential lots accommodating less than five (5) dwelling units will not be allowed direct access to a collector street.
- (3) **Secondary Arterials.** One driveway is allowed for each 200 feet of frontage on secondary arterials. A minimum distance of 150 feet is required from the near right of way line of any intersecting street to edge of driveway, and from edge of driveway to edge of driveway. Tracts less than 200 feet wide must either share common access or take access from a local or collector street. Residential properties containing less than ten (10) dwelling units will not be allowed direct access to an arterial unless it provides the only access available.
- (4) **Primary Arterials.** One driveway is allowed for each 250 feet of frontage on primary arterials. A minimum distance of 200 feet is required from the near right of way line of any intersection street to edge of driveway, and from edge of driveway to edge of driveway. Tracts less than 250 feet wide must either share common access or take access from a local or collector street. Residential properties containing less than ten (10) dwelling units will not be allowed direct access to an arterial unless it provides the only access available.
- (5) **Expressways.** No direct access is allowed from any property to an expressway unless no other direct access or indirect access (via easement) is available. All other properties will be required to take access from a local, collector, or arterial street. (G.O. 4682, 3/17/97)

Section 500. Specifications For Documents To Be Submitted.

Section 501. General.

Applications and material submitted to the Director of Planning and Development for processing under the provisions of this ordinance shall conform to the specifications prescribed in this Section. The Director of Planning and Development shall make determinations regarding the completeness of applications.

Section 502. Sketch Plats.

The Sketch Plat is intended to be conceptual in nature and while accuracy and legibility are essential, the submission of detailed and finished plans is discouraged. Rather, the material should provide information sufficient to determine general compliance with this ordinance and with other City ordinances, regulations, standards and policies.

Assistance by qualified professional persons is recommended but is not a requirement for Sketch Plat review. The Sketch Plat shall include the property intended to be subdivided plus all immediately adjacent unplatted property owned by the same owner, and shall comply with the following submission requirements:

- (1) Five (5) copies or prints of the proposed subdivision or development drawn to a scale of one hundred (100) feet to an inch shall be submitted to the Director of Planning and Development. The information prescribed below shall be included.
 - (a) The Sketch Plat and all supporting maps shall show the map scale, north arrow and the date of preparation.
 - (b) The Sketch Plat shall show the proposed subdivision name, the name of the property as it is commonly or locally known or some other name by which the project may be identified, and the name and address of both the present owner and the subdivider.
 - (c) A map insert or description shall be provided accurately locating the property by lot, section, township, range or other appropriate description. Arterial and collector streets bounding the section in which the property is located should be shown, and properly named to identify the location of the project site. A metes and bounds description is not required.
 - (d) The Sketch Plat shall show:
 - (1) The general dimensions and configurations of the property including the location of property lines, existing easements, railroad and highway rights-of-way, cemeteries or burial grounds and other existing features within the area to be subdivided and similar facts regarding features on immediately adjacent property.

- (2) The location of any natural features such as watercourses, flood prone areas, tree masses, steep slopes, rock outcroppings, sinkholes or other geological features within the area to be subdivided and similar facts regarding existing conditions on immediately adjacent property.
- (3) The classification, location, dimensions and name of all existing or recorded streets and public ways within or immediately adjacent to the tract.
- (4) Topography at approximately the same scale as the Sketch Plat. Contour intervals may be based on U.S.G.S. data and should not exceed five (5) feet.
- (5) The approximate location and nature of all utility rights-of-way, easements, facilities and structures on or immediately adjacent to the site.
- (6) The approximate location and size of all existing sewer lines and water mains on or immediately adjacent to the site.
- (7) The approximate location and size of culverts, storm sewers, impoundments and other stormwater management facilities on or immediately adjacent to the site.
- (8) The approximate location and nature of utility rights-of-way, facilities or structures on or immediately adjacent to the site.
- (9) The approximate location, width and classification of proposed streets.
- (10) The approximate location, dimensions and configuration of all proposed or existing lots.
- (11) The approximate location and general layout of proposed water distribution systems, sewage collection and disposal systems, and stormwater management systems designed to serve the subdivision. (G.O. 4143, 7/16/90)

Section 503. Preliminary Plats. (G.O. 5540)

- (1) The preliminary plat shall include the property intended to be subdivided plus all immediately adjacent unplatted property owned by the same owner.

- (2) Eleven (11) copies or prints (twelve (12) copies if adjacent to a state highway), at least one (1) of which must be a black line copy or print, of the proposed subdivision drawn to a scale of 100 feet (100') to one inch (1") and showing the following shall be submitted to the Director of Planning and Development.
- (a) A property description of the property to be subdivided, plus a legal boundary survey of the property proposed for platting which plat boundaries shall show traverse bearings and internal angles with dimensions in hundredths of feet. Error of closure shall meet the standards promulgated by the State of Missouri, "Missouri Minimum Standards for Property Boundary Surveys", Division of Geology and Land Survey, Missouri Department of Natural Resources. All bearings shall be referenced to true north or grid north according to the Missouri Coordinate System of 1983, Central Zone. The developer shall require his surveyor to tie the Final Plat to the Missouri Coordinate System of 1983, Central Zone. The ties are to be on a minimum of two (2) permanent monuments within the subdivision and the corner used to tie the subdivision to the United States Public Land Survey corner as recognized by the Bureau of Land Management.
 - (b) The exterior boundary must close within .02 of one foot easting and .02 of one foot northing.
 - (c) The name and location of all adjoining subdivisions shall be drawn to the same scale and shown in dotted lines adjacent to and within 200 feet (200') of the tract proposed for subdivision in sufficient detail to show accurately the existing streets (with their right-of-way widths) and alleys and other features that may influence the layout and development of the proposed subdivision. Property lines and owners of record shall be shown for adjacent unplatted land. The impact on adjacent streets and intersections of additional traffic generated by the proposed addition shall accompany the preliminary plat in the format required by the Director of Public Works.
 - (d) The location and widths of all streets, alleys, easements and ways existing or proposed within the subdivision limits.
 - (e) The location of all existing property lines, buildings, sewer or water mains, gas mains or other underground structures, easements or other existing features within the area proposed for subdivision.

- (f) The arrangement, location and dimensions of all proposed or existing lots, including the lot area of the smallest residential lot to be platted.
- (g) The title under which the proposed subdivision is to be recorded, the name and address of both the owner and the subdivider with sufficient data to show ownership, and the name of the land surveyor preparing the plat.
- (h) Location and size of any proposed parks, playgrounds, churches, school sites and other special uses of land, including those to be considered for dedication to public use, or to be reserved by deed or covenant for the use of all property owners in the subdivision and any conditions of such dedication or reservation.
- (i) Scale, north arrow, date of preparation and other pertinent data.
- (j) Topography with contour intervals of not more than two(2) feet, referred to U.S.G.S. datum for both on-site and off-site drainage features which shall include the locations of water courses, the 100-year floodplain and 100-year floodway, ravines, bridges, lakes, natural features, approximate acreage and such other features as may be pertinent to subdivision.
- (k) Approximate grade and gradients of each proposed street and location of proposed culverts and bridges.
- (l) The location of existing sewers (storm and sanitary), together with information regarding size and construction type of any existing channels, culverts, bridges, or underground facilities for disposing of either storm water or sanitary sewage. The location of proposed public and private sewers (storm and sanitary) and any necessary drainage facilities and sanitary sewer improvements. Data regarding the area and design flow rates served by the facilities, the estimated volume and dimensions of detention facilities, and other similar information shall accompany the preliminary plat. Any easement necessary to accommodate the sewers, facilities, and improvements or underground construction for disposing of either storm water or sanitary sewage shall be provided on the plat. (G.O. 5540, 4/17/06; G.O. 4413, 7/16/90)

Section 504. Final Plat. (G.O. 5029, 11/13/2000)

Upon receiving approval of a Preliminary Plat as provided in Section 206 of this Article, the owner of the tract proposed for subdivision shall prepare and submit a Final Plat to

the Department of Planning and Development. The Final Plat shall be drawn upon sheets 8 ½" x 11", 11" x 17", 17" x 22", or 24" x 36", and shall be at a scale of at least one hundred (100) feet to one (1) inch. Two originals, paper copies and one digital copy, shall be submitted. The number of paper copies shall be designated by the Director of Planning and Development. The digital copy shall be to standards acceptable to the Director of Public Works. The requirement for a digital copy may be waived by the Director of Planning and Development when deemed appropriate. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions, the Final Plat may be submitted for approval progressively in continuous sections satisfactory to the Director of Planning and Development. The Final Plat shall show the following:

(1) **Drafting of Plat.**

- (a) Names of the Subdivision.
- (b) Names of adjacent subdivisions and owners of adjoining parcels of unsubdivided land.
- (c) Name of subdivider, owner and surveyor.
- (d) Location by section, township, range, city, county, state, or if a resubdivision of an existing or approved subdivision, then by lot or block numbers and name of original subdivision.
- (e) Names, location and dimensions of adjacent street rights-of-way within any adjoining subdivision.
- (f) Plat boundaries shall show traverse bearings and internal angles with dimensions in hundredths of feet. Error of closure shall meet the standards promulgated by the State of Missouri, "Missouri Minimum Standards for Property Boundary Surveys", Division of Geology and Land Survey, Missouri Department of Natural Resources. All bearings shall be referenced to true north or grid north according to the Missouri Coordinate System of 1983, Central Zone. The developer shall require his surveyor to tie the Final Plat to the Missouri Coordinate System of 1983, Central Zone. The ties are to be on a minimum of two (2) permanent monuments within the subdivision and the corner used to tie the subdivision to the United States Public Land Survey corner as recognized by the Bureau of Land Management.
- (g) Date, scale, and north point.
- (h) Proposed street center line bearings.

- (i) Any closed figure within the survey drawing, including the exterior boundary and all interior closed figures and all lots must close within .02 of one foot easting and .02 of one foot northing. (G.O. 5540, 4/17/06)

(2) Survey Data.

- (a) Dimensions and location of all arcs, radii, internal angles, points of curvature and tangent boundaries, and other pertinent survey information necessary to an accurate description and location. Survey data shall meet the standards promulgated by the State of Missouri, "Missouri Minimum Standards for

Property Boundary Surveys", Division of Geology and Land Survey, Missouri Department of Natural Resources.

- (b) When lots are located on a curve or when side lot lines are at angles other than 90 degrees, the width at the building line shall be shown.

(3) Proposals.

- (a) All easements for right-of-way provided for public services or utilities, and any limitations of such easements.
- (b) All lot numbers and lines, with accurate dimensions in feet and hundredths, and with bearing or angles to street and alley or crosswalk lines if other than ninety (90) degrees.
- (c) Accurate outlines of any areas to be dedicated or temporarily reserved for public use with the purpose indicated thereon.
- (d) Building setback lines, with dimensions.

(4) Other Information.

- (a) Protective covenants, if any, for recording.
- (b) Surveyor's Certificate, to be placed on the Plat.

KNOW ALL MEN BY THESE PRESENTS:

THAT I, _____, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED PREPARED BY _____ DATED _____ AND SIGNED BY _____

_____ L.S. NO. _____ AND THAT THE
CORNER MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE
PLACED UNDER THE PERSONAL SUPERVISION OF
_____ L.S. NO. _____ IN ACCORDANCE WITH
SECTION 410.5 OF THE SUBDIVISION REGULATIONS, ARTICLE II, OF THE
CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

DATE PREPARED _____
SIGNATURE _____
MISSOURI L.S. NO. _____

(G.O. 2369, 9/23/74)

- (c) An express dedication to the public for public use forever the streets, alleys, rights-of-way, easements and any parks, school sites, easements, and other public places shown on the attached plat.
- (d) The following note shall be placed on all Final Plats where access to collector and arterial streets has been limited by the City Council: "LIMITS OF NO ACCESS." The lots and area affected by such limitation shall be clearly indicated. Appropriate release of such access limitation shall be included in the dedication on the plat.
- (e) A signed statement of conveyance of cluster open space, land, common area or common facilities to the appropriate public agency or cooperative association shall be placed on the Final Plat, if appropriate, as follows:

_____ (OWNER'S NAME) _____ OWNER(S) OF THE PROPERTY SHOWN
AND DESIGNATED HEREON, HEREBY DEDICATED, GRANT, AND CONVEY
THE OPEN SPACE LAND, COMMON AREA OR COMMON FACILITIES
SHOWN HEREON TO _____ APPROPRIATE PUBLIC AGENCY OR
COOPERATIVE ASSOCIATION) _____. FURTHER, (I OR WE) _____ CERTIFY
THAT THERE ARE NO SUITS, ACTIONS, LIENS, OR TRUSTS ON THE
PROPERTY CONVEYED HEREIN, AND WARRANT GENERALLY AND
SPECIALLY THE PROPERTY CONVEYED TO _____ FOR
PUBLIC USE AND WILL EXECUTE SUCH FURTHER ASSURANCES AS MAY
BE REQUIRED.

A statement indicating that the land lies within an approved planned development district or cluster development area shall be placed on the Final Plat (s).

- (f) Other Data. Such other certificates, affidavits, endorsements, or deductions waivers as may be required by the Commission for the enforcement of these regulations.

(g) Owner's Certificate of Deed of Dedication. The dedication deed or certificate of dedication shall be executed by all persons, firms or corporations owning an interest in the property, whether owner or otherwise, and shall be acknowledged in the manner prescribed by the laws of the State of Missouri for conveyance of real property. Two true copies must be furnished with the original. In the case of lienholders, they must execute a subordination agreement subordinating their liens to all public streets, alleys, parks, school sites, and any other public areas shown on the plat of such subdivision as being set aside for public uses and purposes. The dedication deed or certificate of dedication shall, in addition to the above requirements, contain the following:

(1) Certificate of Approval by the Planning and Zoning Commission (to be placed on plat):

APPROVED THE _____ DAY OF _____, 19____, BY THE PLANNING AND ZONING COMMISSION OF SPRINGFIELD, MISSOURI.

DIRECTOR OF PLANNING AND DEVELOPMENT

(2) A statement and express representation that the parties joining in such dedication deed or certificate of dedication are the sole owners of such tract of land.

(3) Certificate of Approval by the City Council (to be placed on the plat):

I, _____, CITY CLERK OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DO HEREBY CERTIFY THAT THE PLAT OF _____ WAS PRESENTED TO, ACCEPTED AND APPROVED BY THE COUNCIL OF SAID CITY OF SPRINGFIELD, AND APPROVED BY SPECIAL ORDINANCE NO. _____ ON THE _____ DAY OF _____, 19____.

CITY CLERK

Section 600. Definitions.

For the purpose of this section, the following terms, phrases, words, and their derivatives shall have the meaning herein given. When not inconsistent with the context, words used in the present tense include the future, words in the plural number

include the singular number, and words in the singular number include the plural number.

- 601. **Block:** A piece or parcel of land entirely surrounded by public highways, streets, streams, railroad right-of-way, parks, or a combination thereof.
- 602. **City:** The City of Springfield.
- 603. **City Council:** The City Council of Springfield, Missouri.
- 604. **Common Element:** All portions of a condominium other than the units. (G.O. 5754, 5/19/08)
- 605. **Final Plat:** The final map, drawing or chart on which the subdivider's plan of subdivision is presented for approval, and which, if approved, will be submitted to the County Recorder for recording.
- 606. **Lot:** An undivided tract or parcel of land under one ownership having access to a street, whether occupied or to be occupied by a building or building group together with accessory buildings, which parcel of land is designated as a separate and distinct tract, and is identified by a tract of lot number or symbol in a duly approved subdivision plat filed of record.
- 607. **Lot of Record:** A tract of land that has been certified or platted in accordance with this Article. (G.O. 5754, 5/19/08)
- 608. **Master Plan:** A comprehensive plan prepared by or under the direction of the Planning Commission and adopted by the City Council which indicates the general locations recommended for the various functional classes of public works, places and structures, and the general physical development of the City of Springfield and includes any unit or part of such plan separately adopted and any amendment to such plan or parts thereof.
- 609. **Net Acre.** All land within a proposed subdivision, except land used for public or private streets, common area, or storm water detention. (G.O.5234, 11/18/2002)
- 610. **Official Map:** The map established by the City Council showing the streets, highways and parks theretofore laid out, adopted and established by law and any amendments thereto adopted by the City Council or additions thereto resulting from the approval of subdivision plats by the Planning Commission and City Council, and the subsequent filing of such approved plats.
- 611. **Owner:** Any individual, firm, association, syndicate, partnership, corporation, trust or any other legal entity having sufficient proprietary interest in the land

sought to be subdivided to commence and maintain proceedings to subdivide the same under this Article.

612. **Planning Commission or Commission:** Shall be deemed to refer to the Planning and Zoning Commission of the City of Springfield.
613. **Preliminary Plat:** The preliminary map, drawing or chart indicating the proposed layout of the subdivision initially required in the subdivision process.
614. **Private Stormwater Conveyance and/or Detention Facilities:** Facilities which serve only one (1) lot and do not allow for conveyance and/or detention of any off-site run-off.
615. **Public Stormwater Conveyance and/or Detention Facilities:** All facilities which do not meet the definition of Private Stormwater Conveyance and/or Detention Facilities.
616. **Public Improvements:** Those things that are constructed, installed, or performed on land that is to become public in the subdivision process including street and alley pavement, street signs, curbs, storm drainage facilities, sidewalks, sanitary sewers, water mains, gas mains, power and telephone lines and including the grading of such land. (G.O. 5207, 8-12-2002)
617. **Property Description:** Description of a lot, or parcel by metes and bounds, by reference to a plat or by reference to government survey.
618. **Set Back Line:** A line on a plat generally parallel to the street right-of-way indicating the limit beyond which buildings or structures may not protrude.
619. **Shall, May:** The word "Shall" shall be deemed as mandatory. The word "May" shall be deemed as permissive.
620. **Streets and Alleys:** "Street" is a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or however otherwise designated.
- (1) **Alley:** A minor way which is used primarily for vehicular service access to the back or the side of properties otherwise abutting a street.
- (2) **Arterial - Major, Primary or Principal:** A street or highway primarily intended to provide for high volume, moderate speed and extended trip length traffic movement between major activity centers, with access to abutting property subordinate to major traffic movement.

- (3) **Arterial - Minor or Secondary:** A street which interconnects with and augments the major arterial system. The secondary arterial is primarily intended to provide for moderate volume, moderate speed and short to moderate trip length while providing partially controlled access to abutting property.
- (4) **Collector:** A street which collects and distributes traffic to and from local and arterial street systems. The Collector is primarily intended to provide for low to moderate volume, low speed and short length trips while providing access to abutting property.
- (5) **Cul-de-sac or Dead-end Street:** A minor street with only one outlet.
- (6) **Expressway:** A street or highway with limited or partially controlled points of access at Arterial system intersections. The expressway is primarily intended to provide for high volume, moderate to high speed extended inter/intra city traffic between major activity centers with minimal impairment to movement.
- (7) **Freeway:** A divided highway with fully controlled access limited to grade-separated interchanges constructed at major thoroughfares. A freeway is primarily intended to provide for high volume, high speed intercity traffic movements.
- (8) **Local or Minor:** A street primarily providing direct access to abutting property and designed to accommodate low volume, low speed traffic.
- (9) **Marginal Access Street or Service Road:** A minor street which is parallel and adjacent to an arterial street and which provides access to abutting properties and protection from through traffic.
- (10) **Easement:** A grant by the property owner to the public, a corporation, or persons, of the use of a portion of land for specific purposes.
- (11) **Crosswalkway or Crosswalk:** A right-of-way, dedicated to or set aside for public use, which cuts across a block to facilitate pedestrian access to adjacent streets and properties.
- (12) **Collector-local:** A street which collects and distributes residential traffic between local streets and collector streets and arterial streets. Intended for low to moderate volume, low to moderate speed and short length trips while also providing access to adjacent streets and properties. (G.O. 4077, 9/11/89)

- (13) **Downtown Streets.** Streets which provide frontage for adjacent businesses as well as providing for the movement of pedestrians, bicycles and transit as well as vehicles throughout and through downtown, more specifically within the area bounded by a line nine hundred ninety (990) feet north of the south section line of Sections 13 and 14 of Township 29 North, Range 22 West on the north, John Q. Hammons Parkway/Sherman Avenue on the east, Harrison/State Streets on the south, Grant Avenue on the west, and a line nine hundred ninety (990) feet west of the east section line of Sections 14 and 24 of Township 29 North, Range 22 West on the west except the following street segments:

- (a) Tampa Street east of Benton Avenue;
- (b) Phelps Street east of Washington Avenue;
- (c) Market Avenue between Walnut and State Streets;
- (d) Main Avenue between Mount Vernon and State Streets;
- (e) Mount Vernon Street between Grant and Campbell Avenues;
- and
- (f) Harrison Avenue between Grant and Market Avenues

and classified as designated by the Major Thoroughfare Plan.

- (14) **Residential Connector:** A street which provides a vehicular and pedestrian connection between two generally parallel local residential streets designed to accommodate very low volume and very low speed traffic within residential subdivisions. Residential connector streets are permitted only in single family or duplex residential developments. Their design shall discourage through traffic by not being extensions or continuations of higher classification streets and by not intersecting with expressway, arterial or collector streets. Lots shall not front on these streets nor shall driveways to adjacent properties be permitted. (G.O. 5652, 2/12/07)

621. **Subdivider:** Any individual, firm, association, syndicate, partnership, corporation, trust or any other legal entity commencing proceedings under this Article to the effect a subdivision of land hereunder for himself or for another.
622. **Subdivision:** The subdivision of land into two (2) or more lots, tracts or parcels for the purpose of transfer of ownership or building development, or, if a new street or easement of access is involved, any division of a parcel of land. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.
623. **Unit:** A physical portion of a condominium designated for separate ownership or occupancy. (G.O. 5754, 5/19/08)

Section 700. Fees and Charges.

Charges established for processing of applicants' requests set forth in provisions of the Subdivision Ordinance in force and effect prior to passage of this Ordinance are hereby retained and codified in this section. The Director of Planning and Development is hereby authorized to charge up to the amount established in this section for processing of certain types of applications. The Director of Planning and Development may charge less than the amount set forth in this section, it being intended that the processing fees are designed to recover the costs of the Department of Planning and Development in the processing of such application. Such fees shall be effective upon the Director of Planning and Development filing a copy of the fee schedule with the City Clerk.

Section 701. Processing Fees.

(See Annual Fee Schedule Ordinance)

TABLE OF HISTORY

The Subdivision Regulations for the City of Springfield were originally adopted by General Ordinance No. 1040 on March 26, 1956. The following table sets out the amendments to the Subdivision Regulations since adoption.

<u>GENERAL ORDINANCE NUMBER</u>	<u>PASSED</u>	<u>SUBJECT</u>
1112	November 19, 1956	Repealed and replaced Section 12, Improvements
1393	June 26, 1961	Repealed and replaced Subsection A-2 of Section 8, submission of preliminary plats
1734	May 22, 1967	Amend improvements
1939	February 9, 1970	Filing preliminary plats
1981	November 2, 1970	Amend improvements
2195	March 5, 1973	Amend sewer improvements
2369	September 23, 1974	Amend plat boundaries
2531	March 22, 1976	Repealed and replaced Section 8(A)(2), procedures for preliminary plats
2584	August 30, 1977	Repeal Sec. 9(f)(7) concerning double frontage and reverse frontage lot design standards
2780	January 30, 1978	Add Sec. 14(E-1) concerning lot splits in areas zoned other than single family
2779	January 30, 1978	Establishing standards for lot splits
2789	February 27, 1978	Add Surface Water Run-Off standards
3183	March 23, 1982	Recodification and revisions to subdivision ordinance
3374	November 22, 1982	Established Section 207 Cluster Subdivisions, Final Plat Requirements.

<u>GENERAL ORDINANCE NUMBER</u>	<u>PASSED</u>	<u>SUBJECT</u>
3599	March 18, 1985	Repealed Plat Agreements, Section 304(1).
3613	May 13, 1985	Delegation of authority for acceptance of minor easements, Section 203
3708	January 6, 1986	Improvements or security required prior to recording final plat, Section 303
3735	March 31, 1986	Improvements or security for regional detention facilities, Section 303
3802	November 10, 1986	Deleting Section 303(2) relating to security for improvements and enacting one new section in lieu thereof, relating to the same subject
3906	March 14, 1988	Deleting Section 303(3) relating to release or reduction of security for improvements, and enacting one new section in lieu thereof
3912	April 25, 1988	Adding to Section 303 Improvements, one new paragraph
3968	December 12, 1988	Deleting Section 410(6) relating to sidewalk requirements and enacting one new section in lieu thereof
4026	May 8, 1989	Deleting Section 409, Flood Areas, and enacting one new section in lieu thereof
4066	August 14, 1989	Deleting Section 203 and enacting one new section in lieu thereof
4077	September 11, 1989	Deleting Subparagraph (9) from Section 403 and enacting new subparagraph (9). Add paragraph (12) to Section 612.
4143	July 16, 1990	Amending Sections 502 and 503 to provide new specifications for Sketch Plats and Preliminary Plats

GENERAL
ORDINANCE
NUMBER

PASSED

SUBJECT

4432	May 31, 1994	Amending Section 303 by adding Subsection (7) to allow variances in payment of fees in lieu of sidewalk construction in certain circumstances
4462	October 17, 1994	Amending Section 303 renumbering paragraphs 4 and 6 as 1 and 2, Article IV, Chapter 36, Division 4
4581	January 22, 1996	Amending Sections 202, 203 and 204 regarding classification of subdivisions and modifying regulations for administrative approval of subdivisions and amending Section 303 regarding security agreements for administrative subdivisions
4675	February 3, 1997	Amending Sections 106 and 206 regarding the subdivision appeal process and when zoning standards must be varied in relation to the filing of a preliminary plat application
4682	March 17, 1997	Adding Section 411, Access Criteria for Major Streets
5029	November 13, 2000	Amending three sections to extend effective period of preliminary plat; require flood plain locations be shown on preliminary plats; require plats be referenced to the Missouri State Plain Coordinate System and require digital submissions of final plats unless waived by the Director of Planning and Development
5207	August 12, 2002	Adding a new section relating to payment of the cost of street signs in new subdivisions
5234	November 18, 2002	Amending Sections 303(7) and 410(6) relating to sidewalks and Section 618, new definition for "net acre"

GENERAL

<u>ORDINANCE NUMBER</u>	<u>PASSED</u>	<u>SUBJECT</u>
5540	April 17, 2006	Amending Section 206 relating to pre-subdivision review with City staff of projects prior to making application for preliminary plat, Section 503 relating to requirements for preliminary plat applications, and Section 504 relating to survey closure standards
5652	February 12, 2007	Amending Sections 403, 410, and 612 to adopt residential connector streets
5665	April 9, 2007	Amending 403 and 612 to add a new definition for Downtown Street and to adopt a reduced standard for right fo way for Downtown Streets
5668	April 9, 2007	Amending Sections 202 and 203 relating to administrative lot divisions and administrative re-plats or previously platted land, Section 303 relating to escrow of certain private stormwater improvements, and Section 600, Definitions , to add definitions for public and private stormwater conveyance and detention facilities.
5740	February 25, 2008	Amending Section 203 relating to administrative lot combinations.
5754	May 19, 2008	Amending Section 202, 203and 600 to add an administrative condominium process .