

# CITY OF PLATTSBURG, MISSOURI

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## SUBDIVISION REGULATIONS

### ARTICLE I GENERAL PROVISIONS

SECTION 1. JURISDICTION: All plans, plats, or re-plats of land laid out in building lots, hereafter made for each subdivision or each part thereof lying within the corporate limits of the City of Plattsburg, Missouri shall be prepared, presented, and recorded as herein described.

SECTION 2. PURPOSE AND INTENT: The purpose and intent of these Regulations is to provide for the harmonious development of the incorporated areas of the City; to provide for the proper location and width of streets, building lines, open spaces, safety and recreational facilities, utilities, drainage, and for the avoidance of congestion of population through requirements of minimum lot width, depth, and area, and the compatibility of design; to require and fix the extent to which and the manner in which streets shall be graded and improved, and water, sewers, drainage, and other utility mains and piping or connections or other physical improvements shall be installed; and to provide for and secure to the Governing Body the actual construction of such physical improvements.

SECTION 3. APPLICABILITY: The owner or owners of any land located within the jurisdiction of these Regulations subdividing said land into two or more lots and blocks or tracts or parcels, for the purpose of laying out any subdivision, suburban lots, building lots, tracts, or parcels or any owner of any land establishing any street, alley, park, or other property intended for public use or for the use of purchasers or owners of lots, tracts, or parcels of land fronting thereon or adjacent thereto, shall cause a plat to be made in accordance with these Regulations.

SECTION 4. EXEMPTIONS: These Regulations shall not apply in the following instances:

- 1.A change in the boundary between adjoining land which does not create an additional or a substandard lot.
- 2.Land used for streets or railroad right-of-way, a drainage easement, or other public utilities subject to local, state or federal regulations, where no new street or easement of access is involved.
- 3.Whenever any lot, parcel, or tract of land located within the area governed by these Regulations has been subdivided, re-subdivided, or re-platted prior to the adoption of these Regulations.
- 4.Any transfer by operation of law.
- 5.Land which is to be used for cemetery purposes.
- 6.The division of any parcel with 40 acres or more for the purpose of dividing an agricultural tract from a parcel or lot existing prior to the adoption of these regulations, provided that no subdivided lot is less than five (5) acres in area.

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SECTION 5. APPROVALS NECESSARY FOR ACCEPTANCE OF SUBDIVISION PLATS: All plans, plats, or re-plats of land laid out in building lots, and the streets, alleys, or other portions of the same intended to be dedicated for public use, or for the use of purchasers or owners of the lots fronting thereon or adjacent thereto, shall be submitted to the Planning Commission for its consideration. Upon approval of the final plat by the Planning Commission the Zoning Administrator shall submit the plat to the Governing Body for their official consideration and acceptance.

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### ARTICLE II DEFINITIONS

SECTION 1. DEFINITIONS: Definitions for the interpretation of these rules and regulations are as follows:

1. Agricultural Purposes: The use of a tract of land of not less than five (5) acres for the growing of crops, pasturage, nursery, or the raising of livestock and poultry, including the structures necessary for carrying out farming operations and the residence or residences of those owning or operating the premises, a member of the family thereof, or persons employed thereon, and the family thereof, but such use shall not include feedlots.
2. Alley: A public or private right-of-way which affords only a secondary means of access to abutting property.
3. Arterial Street: A street serving major traffic movements, designed primarily as a traffic carrier between various sections of the city, and which forms part of the through-street network.
4. Block: A piece or parcel of land entirely surrounded by public highway, streets, streams, railroad rights-of-way, or parks, etc., or a combination thereof.
5. Collector Street: Any street designed primarily for the purpose of gathering traffic from local or residential streets and carrying it to the major street system.
6. Cul-de-sac: A street having one end open to traffic and being permanently terminated by a vehicular turnaround.
7. Design: The location of streets, alignment of streets, grades and widths of streets, alignment of easements, grades and widths of easements, alignment and rights-of-way for drainage and sanitary sewers, and the designation of minimum lot area, width and length.
8. Easement: A grant by the property owner to the public, a corporation, or persons, of the use of a strip of land for specific purposes.
9. Engineer: Shall mean the individual designated by the Board of Aldermen to provide professional engineering services, or to otherwise administer certain provisions of these regulations.
10. Final Plat: A plan or map prepared in accordance with the provisions of these Regulations and those of any other applicable local regulation, which plat is prepared to be placed on record in the office of the Recorder of Deeds of the County in which any part of the subdivision is located.

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11. Governing Body: The elected Board of Aldermen of the City of Plattsburg.
12. Improvements: Street work and utilities that are to be installed, or agreed to be installed by the subdivider on the land to be used for public or private use of the lot owners in the subdivision and local neighborhood traffic and drainage needs, as a condition precedent to the approval and acceptance of the final plat or filing of the record of the survey map thereof.
13. Local Street: A street or road which provides primarily for direct access to adjoining properties and is designed to serve minor traffic needs.
14. Lot: A portion of land in a subdivision, or other parcel of land, intended as a unit for transfer of ownership or for development.
15. Major Thoroughfare: A street, highway, or roadway designated as such on the official Major Street Plan.
16. Marginal Access Streets or Frontage Roads: A minor street which is generally parallel to or adjacent to a major traffic thoroughfare, highway, or railroad right-of-way and provides access to abutting properties.
17. Pedestrian Way: A right-of-way dedicated to public use, which cuts across a block to facilitate pedestrian access to adjacent streets and properties.
18. Planning Area: That area on a map prepared and maintained for or by the Planning Commission describing the planning area limits.
19. Planning Commission: Shall mean the City of Plattsburg Planning Commission, unless otherwise specified.
20. Preliminary Plat: A map made for the purpose of showing the design of a proposed subdivision and the existing conditions in and around it; this map need not be based on accurate or detailed final survey of the property.
21. Secretary: Secretary of the Planning Commission.
22. Setback Line or Building Line: A line on a plat generally parallel to the street right-of-way, indicating the limit beyond which buildings or structures may not be erected or altered except as otherwise provided in the Zoning Regulations.
23. Street: A right-of-way, dedicated to the public use, which provides principal vehicular and pedestrian access to adjacent properties.

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## SUBDIVISION REGULATIONS

24. Subdivider: A person, firm, corporation, partnership, or association who causes land to be divided into a subdivision for himself or for others.

25. Subdivision: The division of a tract of land into two or more lots or parcels for the purpose of transfer of ownership or building development, or, if a new street is involved, any division of a parcel of land. The term "subdivision" includes "re-subdivision", and the term "re-subdivision" as used herein shall include any further subdivision of a lot or parcel of land previously subdivided, for sale, use, or other purposes, which varies from the latest approved subdivision of the same.

26. Zoning Administrator: Individual designated by the Board of Aldermen to administer these regulations.

SECTION 2. RULES FOR INTERPRETATION OF DEFINITIONS: For the purpose of this Regulation, the following rules shall apply:

1. Words and numbers used singularly shall include the plural and the plural, the singular. Words used in the present tense shall include the future.
2. The word "persons" includes a corporation, members of a partnership or other business organization, a committee, board, trustee, receiver, agent or other representative.
3. The word "shall" is mandatory.
4. The word "use", "used", "occupy" or "occupied" as applied to any land or building shall be construed to include the words "intended", "arranged" or "designed" to be used or occupied.

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### ARTICLE III MINIMUM DESIGN STANDARDS

#### SECTION 1. WATER AND SEWER:

- 1.The area of the lots shall be determined by zoning district regulations, subject to the availability of public sewer and a public water supply. Prior to the submission of a preliminary plat, the subdivider shall obtain a determination from the engineer having jurisdiction as to whether adequate public sewer and water supply are available.
- 2.If the proposed subdivision is serviced by a public water supply and a public sewer system, the minimum lot area requirements shall be subject to those set forth herein and in the Zoning Regulations.
- 3.If the proposed subdivision is serviced with a public water supply, but not with a public sewer system, the preliminary plat shall be prepared on the basis of minimum two (2) acre lots; provided, however, that additional lot area may be required if the area has or is suspected of having a high water table or if soil conditions prove to be unsuitable based on tests.
- 4.All proposed private sewer systems shall be reviewed for approval by the Smithville Wastewater Management District. All such individual devices and systems shall be constructed and maintained in accordance with the regulations and requirements of the Missouri State Board of Health.

#### SECTION 2. BLOCKS:

- 1.Length: Intersecting streets (which determine block length) shall be provided at such intervals as to serve cross traffic adequately and to meet existing streets in the neighborhood. In residential districts where no existing plats are recorded, the blocks shall not exceed 1,200 feet in length, except that a greater length may be permitted where topography or other conditions justify a departure from this maximum. In blocks longer than 800 feet, pedestrian ways and/or easements through the block may be required near the center of the block. Such pedestrian ways or easements shall have a minimum width of 10 feet. Blocks for business use should normally not exceed 600 feet in length.
- 2.Width: In residential development, the block width shall normally be sufficient to allow two tiers of lots of appropriate depth. Blocks intended for business or industrial use shall be of such width and depth as may be considered most suitable for the prospective use.

#### SECTION 3. STREETS, ALLEYS, AND PUBLIC WAYS:

- 1.Relations to Adjoining Street System: The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining additions (or their proper

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projection where adjoining property is not subdivided), insofar as they may be necessary for public requirements, as shown on the major street plan component of the comprehensive plan. The width of such streets in new subdivisions shall not be less than the minimum street widths established herein. Alleys, when required, and street arrangement must also be such as to cause no hardship to owners of adjoining property when they plat their land and seek to provide for convenient access to it. Whenever there exists a dedicated or platted half street or alley adjacent to the tract to be subdivided, the other half of the street or alley shall be platted and dedicated as a public way.

2. Street Names: Streets that are obviously in alignment with others already existing and named shall bear the same alpha-numeric designation adopted by the Board of Aldermen.

3. Arterial and Collector Streets: Major streets through subdivisions shall conform to the Major Street Plan as adopted by the Planning Commission and the Governing Body.

4. Local Streets: Minor streets shall be so designed to discourage through or non-local traffic.

5. Cul-de-sacs: An adequate turnaround of not less than a 50 foot radius right-of-way shall be provided at the closed end of a dead-end street longer than one lot in length. Such local street segment shall not exceed 500 feet in length from the center line of an intersection of a cross street to the center of the cul-de-sac; except for suburban, large-lot development in the R-S District, which shall not exceed 1,200 feet.

6. Right-Angle Intersections: Under normal conditions, streets shall be laid out to intersect, as nearly as possible, at right angles. Where topography or other conditions justify a variation from the right-angle intersection, the minimum angle shall be 60 degrees.

7. Streets Adjacent to a Railroad Right-of-Way, Limited Access Freeway, or Principal Highway: Where lots front or side, but do not back, on railroad rights-of-way, limited access freeways, or principal highways, a marginal access street or frontage road may be required parallel and adjacent to the boundary of such rights-of-way. The distance from said rights-of-way shall be determined, with due consideration, to minimum distance required for approach connections to future grade separation.

8. Half Streets: Dedication of half streets will not be approved, except where it is essential to the reasonable development of the subdivision and in conformity with the Major Street Plan and other requirements of these Regulations.

9. Alleys: Alleys may be required in commercial and industrial districts. Dead-end alleys shall be avoided, wherever possible. Alleys may be required in certain residential areas.

10. Minimum Requirements: The right-of-way grades, horizontal curves, and vertical curves for streets and alleys dedicated and accepted shall not be less than the minimum for each classification as follows:

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a)	Arterial Streets:	
	Minimum right-of-way width .....	70 ft.
	Maximum gradient           5%	
	Minimum radii of horizontal curves .....	500 ft.
	Minimum sight distance on vertical curves .....	350 ft.
b)	Collector Streets:	
	Minimum right-of-way width .....	60 ft.
	Maximum gradient .....	7%
	Minimum radii of horizontal curves .....	380 ft.
	Minimum sight distance on vertical curves .....	300 ft.
c)	Local Streets:	
	Minimum right-of-way width .....	50 ft.
	Maximum gradient .....	10%
	Minimum radii of horizontal curves .....	270 ft.
	Minimum sight distance on vertical curves .....	200 ft.
d)	Cul-de-sacs:	
	Minimum right-of-way width .....	50 ft.
	Maximum gradient .....	10 ft.
	Minimum radii of right-of-way at turnaround .....	50 ft.
e)	Frontage Roads:	
	Minimum right-of-way width.....	50 ft.
f)	Alleys:	
	Minimum right-of-way width.....	20 ft.
g)	Pedestrian Way:	
	Minimum right-of-way width .....	10 ft.

h)The absolute minimum gradient on a street shall be 0.5% and minimum gradient shall be 1.0% wherever practical.

11.Additional Requirements: When existing or anticipated traffic on arterial and collector streets warrants greater widths of rights-of-way, the additional width shall be dedicated.

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12. Street Alignment: On streets with reverse curves, an appropriate tangent shall be provided between curves to permit a smooth flow of traffic.
13. Intersections: Local nonaligned intersections shall be spaced at a minimum of 150 feet (centerline to centerline). Collector intersections shall be spaced at a minimum of 500 feet (centerline to centerline).
14. Drainage Easements: Drainage easements may be required, in addition to street rights-of-way, where the street or streets adjoin or are parallel with streams or drainage areas or where lots back on where said drainage exists. The width of such drainage easement shall be determined by the engineer having jurisdiction who shall notify the Planning Commission of his recommendation in writing.
15. Sight Triangle: A sight triangle is a triangular area at the intersection of two streets in which nothing shall be erected, placed, planted or allowed to grow high enough above the elevation of the adjacent roadway to constitute a sight obstruction. The area included in a sight triangle shall be bounded on two sides by the center lines of each street, and on the third side by a line connecting the two lines. The unobstructed sight distance must be sufficient to allow the operators of vehicles approaching the intersection simultaneously to see each other in time to prevent collisions. The sight distance must be related to vehicle speeds and to the resultant distances traversed during perception, reaction time and braking. (See the Transportation and Traffic Engineering Handbook, Second Edition, Institute of Transportation Engineers, 1986, or most recent edition.)

## SECTION 4. LOTS:

1. Minimum lot width shall be as specified in the district regulations of the City of Plattsburg Zoning Regulations; however, corner lots shall be 20 feet wider than that required in those regulations. Lot width shall be measured at the building setback line.
2. Minimum depth shall be 100 feet. Lot depth shall be measured through the center of the lot and shall be perpendicular to the property line or radial to the property line on curved streets.
3. Minimum lot area shall be subject to the Zoning Regulations of the district in which the subdivision is located.
4. In subdivisions where septic tanks or other individual sewage disposal devices are to be installed, the size of all lots included in the subdivision shall be subject to regulations as set out in this section under water and sewer.
5. In subdivisions where private water supply is by well or other means, the size of all lots included in the subdivision shall be subject to regulations as set out in this section under water and sewer.

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6. All side lot lines shall bear 60 to 90 degrees from the street right-of-way line on a straight street or from the tangent of a curved street.
7. Corner lots, in residential subdivisions, shall observe the same front yard setback on both streets.
8. Double frontage lots shall be avoided unless, in the opinion of the Planning Commission, a variation to this rule will give better street alignment and lot arrangement.
9. Every lot shall abut on a street other than an alley.
10. Building or setback lines shall be shown on the final plat for all lots in the subdivision and shall not be less than the setback required by the Zoning Regulations.
11. The subdivision or re-subdivision of a tract or lot shall not be permitted where said subdivision or re-subdivision places an existing permanent structure in violation of the requirements of the Zoning Regulations.
12. The depth of the lot shall not exceed three times its width.

SECTION 5. EASEMENTS: Where alleys are not provided, permanent, continuous easements of not less than 10 feet in width shall be provided on each side of all rear lot lines, and on side lot lines, where necessary, for utility poles, wires, conduits, storm and sanitary sewers, gas, water, and heat mains, and other public utilities.

SECTION 6. DEDICATION OR RESERVATION OF PUBLIC SITES AND OPEN SPACES: In subdividing land or re-subdividing an existing plat, due consideration should be given by the subdivider to the dedication or reservation of suitable sites for schools, parks, playgrounds, or other public recreational areas or open spaces. Any areas so dedicated or reserved shall conform as nearly as possible to the Comprehensive Plan. All areas to be reserved for, or dedicated to, public use shall be indicated on the preliminary plat in order that it may be determined when and in what manner such areas will be dedicated to or acquired by the appropriate agency. A written statement from the Board of Education may be required to be submitted by the subdivider indicating whether or not a school site in the proposed subdivision is desired.

SECTION 7. ACCESS CONTROL: In the interest of public safety and for the preservation of the traffic-carrying capacity of the street system, the Planning Commission shall have the right to restrict and regulate points of access to all property from the public street system. Such restrictions shall be indicated on the final plat.

SECTION 8. SUBDIVISION DESIGN: The design of the subdivision shall provide for efficient traffic flow, proper mixing of land uses, and a logical link between surrounding, existing development and the proposed layout. The Comprehensive Plan should be used as a guide in determining if the design of the proposed subdivision is proper.

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The Planning Commission shall have the authority to deny a plat or request redesign if, in its opinion, the layout is not suitable for the site.

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### ARTICLE IV LOT SPLITS

The intent of this section is to provide for the issuance of building permits in lots divided into not more than two tracts without having to re-plat said lot, provided that the resulting lots shall not again be divided without re-platting.

SECTION 1. APPLICATION PROCEDURE: Requests for lot split approval shall be made by the owner of the land to the Zoning Administrator. Four copies of a scale drawing of the lots involved if there are no structures thereon or, if structures are located on any part of the lot being split, four copies of a certified survey, signed and sealed by a registered land surveyor, of the lot(s) and the location of the structure(s) thereon, together with the precise nature, location and dimensions of the proposed lot split shall accompany the application.

SECTION 2. APPROVAL GUIDELINES: Approval or disapproval of lot splits shall be made, based on the following guidelines:

1.No lot splits shall be approved if:

- a) A new street or alley is needed or proposed.
- b)A vacation of streets, alleys, setback lines, access control, or easements is required or proposed.
- c)If such action will result in significant increases in service requirements, e.g., utilities, schools, traffic control, streets, etc.; or will interfere with maintaining existing service levels, e.g., additional curb cuts, repaving, etc.
- d)There is less street right-of-way than required by these Regulations or the Comprehensive Plan unless such dedication can be made by separate instrument.
- e)All easement requirements have not been satisfied.
- f)If such split will result in a tract without direct access to a street.
- g)A substandard-sized lot or parcel will be created.
- h)If the lot has been previously split in accordance with these Regulations.

2.The Zoning Administrator may require such additional requirements as deemed necessary to carry out the intent and purpose of existing land development regulations and Governing Body policy. Requirements may include, but not be limited to, installation of public facilities, dedication of

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right-of-way and easements, and submission of covenants for the protection of other landowners in the original subdivision.

3. The Zoning Administrator shall, in writing, either approve, with or without conditions, or disapprove the lot split within 30 days of application. If approved, and after all conditions have been met, the Administrator shall sign and furnish a certificate of approval to be affixed to the lot split survey, and a certified copy thereof shall be filed with the Recorder of Deeds, the official designated to issue building or occupancy permits, and a copy shall be furnished to the applicant.

### SECTION 3. FILING FEE:

1. The filing fee for lot split shall be \$50.00.
2. Cost of recording documents, publications, writs, and engineering costs are payable in addition to filing fees. These costs will be billed to the applicant.

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### ARTICLE V PRELIMINARY PLATS

After reaching the preliminary conclusions regarding the requirements for the proposed subdivision, the subdivider shall submit a preliminary plat together with any supplementary information necessary.

SECTION 1. PRE-APPLICATION: Prior to the filing of the preliminary plat, the subdivider shall contact the Zoning Administrator to determine:

1. Procedure for filing plats.
2. Availability of public sewers and water.
3. Comprehensive plan requirements for major streets, land use, parks, schools, and public open spaces.
4. Zoning requirements for the property in question and adjacent properties.

SECTION 2. SUBMISSION OF A PRELIMINARY PLAT:

1. Filing Fee: A filing fee of \$50.00 shall accompany the filing of each preliminary plat, plus \$2.00 for each lot for the first ten lots, plus \$1.00 for each lot thereafter. Maximum fee shall not exceed \$100.00.
2. Number of Copies: The subdivider shall submit ten copies of the preliminary plat and ten copies of a vicinity map (if not on the preliminary plat) showing the location of the proposed subdivision (see attached sample plat). These plans shall be filed with the official authorized to administer the Subdivision Regulations at least 15 days prior to a regular Planning Commission meeting at which the preliminary plat is to be considered.
3. Preliminary Plats Shall Contain:
  - a) The proposed name of the subdivision. (The name shall not duplicate or too closely resemble the name or names of any existing subdivision.)
  - b) The location of the boundary lines of the subdivision and reference to the section or quarter section lines.
  - c) The names and addresses of the developer, and the surveyor and/or engineer who prepared the plat.
  - d) Scale of the plat, 1"=100' or larger.

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e) Date of preparation and basis for north.

f) Existing conditions:

- 1) Location, width and name of platted streets or other public ways, railroads and utility rights-of-way, parks and other public open spaces, and permanent buildings within or adjacent to the proposed subdivision shall be shown on the preliminary plat.
- 2) All existing sewers, water mains, gas mains, culverts or other underground installations within the proposed subdivision or adjacent thereto, with pipe sizes and manholes, and location shall be shown.
- 3) Topography (unless specifically waived by the engineer) with contour intervals of not less than one foot nor more than five feet as determined by the Engineer, referred to U.S.G.S. datum shall be shown; also, location of water courses, bridges, wooded areas, lakes, ravines, and such other features as may be pertinent to the subdivision shall be shown.

g) The general arrangement of lots and their approximate size.

h) Location and width of proposed streets, alleys, pedestrian ways, and easements.

i) The general plan of sewage disposal, water supply, and utilities in areas where public sewers and/or water are proposed to serve the subdivision. In other cases, a notation shall be made on the plat indicating type of sewage disposal and water system proposed.

j) Location and size of proposed parks, playgrounds, churches, school sites, or other special uses of land to be considered for reservation for public use.

**SECTION 3. APPROVAL OR DISAPPROVAL OF THE PRELIMINARY PLAT:** Action by the Planning Commission shall be conveyed to the subdivider in writing within ten days after the official Planning Commission meeting at which time the plat was considered. In case the plat is disapproved, the subdivider shall be notified of the reason for such action and what requirements shall be necessary to meet the approval of the Planning Commission.

The approval of the preliminary plat does not constitute an acceptance of the subdivision, but is deemed to be an authorization to proceed with the preparation of the final plat. The approval of the preliminary plat shall only be effective for a period of six months, unless an extension is granted by the Planning Commission for up to an additional six-month period. If the final plat for any part of the area covered by the preliminary plat has not been

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submitted for approval within this specified period, a preliminary plat must be resubmitted to the Planning Commission for approval.

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### ARTICLE VI FINAL PLAT

SECTION 1. SUBMISSION: After approval of the preliminary plat, the subdivider shall submit for determination by the Planning Commission of conformance with the Subdivision Regulations, such determination to be made within 60 days after the final plat has been submitted for consideration. Preliminary and final plats may be submitted simultaneously.

- 1.The original (on mylar) and ten prints thereof shall be submitted to the official authorized to administer the Subdivision Regulations at least ten days prior to the Planning Commission public hearing.
- 2.The names and signatures of the owner or owners of the property duly acknowledged and notarized shall appear on the original copies submitted.
- 3.The final plat, prepared for recording purposes, shall be drawn at a scale of at least 1"=100' or larger. The size of the sheet on which such final plat is prepared shall be 24 inches by 36 inches.
- 4.Final Filing Fee: A filing fee of \$10.00 shall accompany the final plat, plus a fee of fifty cents per lot. The maximum fee shall not exceed \$100.00.

SECTION 2. INFORMATION: The final plat shall show and contain the following information:

- 1.Name of subdivision (not to duplicate or too closely resemble the name of any existing subdivision).
- 2.Location of section, township, range, county, and state, and the exterior boundaries of the subdivision showing (1) location and description of all monuments, (2) bearings and horizontal distances between the monuments, and (3) complete closure calculations.
- 3.The location of monuments or bench marks shall be shown and described on the final plat. Location of such monuments shall be shown in reference to existing official monuments or the nearest established street lines, including the true angles and distances to such reference points or monuments.
- 4.The location and horizontal calculations of lots, streets, public highways, alleys, parks, and other features, with accurate dimensions shown in feet and decimals of feet with the length of radii and of arcs along with the intersection angle (delta) on all curves, and all other information necessary to reproduce the plat on the ground. Dimensions shall be shown from all angle points of curve on lot lines.
- 5.Lots shall be numbered clearly. Blocks shall be numbered or lettered clearly in the center of the block.

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6. The exact locations, widths, and names of all streets and alleys to be dedicated.
7. Boundary lines and description of the boundary lines of any area other than streets and alleys, which are to be dedicated or reserved for public use.
8. Building setback lines on the front and side streets with dimensions.
9. Name, signature, certification, and seal of the registered land surveyor making the plat.
10. Scale of the plat (scale to be shown graphically and in feet per inch), date of preparation, and basis for north.
11. Statement dedicating all easements, streets, alleys and all other public areas not previously dedicated.
12. The following certificates, which may be combined where appropriate:
  - a) A certificate signed and acknowledged by all parties having any record, title, or interest in the land subdivided, and consenting to the preparation and recording of the said subdivision map.
  - b) A certificate signed and acknowledged as above, dedicating all parcels of land shown on the final plat and intended for any public use except those parcels which are intended for the exclusive use of the lot owners of the subdivision, their licensees, visitors, tenants, and servants.
  - c) The acknowledgement of a notary in the following form:

State of Missouri

SS

City of Plattsburg

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, a notary public in and for said City and State, came \_\_\_\_\_ to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

\_\_\_\_\_  
Notary Public

(SEAL)

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My Commission Expires: \_\_\_\_\_

d)The certificate of the Planning Commission in the following form:

This plat of \_\_\_\_\_ Addition has been submitted to and approved by the Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

(SEAL)

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

e)The acceptance of dedications by the Board of Aldermen, when required, in the following form:

The dedications shown on the plat accepted by the Board of Aldermen of Plattsburg (City), Missouri (State), this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(SEAL)

f)A blank space for noting entry on the transfer record in the following form:

Entered on transfer record this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
City Clerk

g)The certificate of the Recorder of Deeds in the following form:

State of Missouri

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SS

City of Plattsburg

This is to certify that this instrument was filed for record in the Recorder of Deeds Office on the \_\_\_\_ day of  
, 19\_\_, in Book \_\_, Page \_\_.

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Recorder of Deeds

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Deputy

13.Supplemental Information to be Submitted with Final Plat: The following additional data shall be submitted with the final plat:

- a)A title report by an abstract or a title insurance company, or an attorney's opinion of title, showing the name of the owner of the land and all other persons who have an interest in, or an encumbrance on, the plat. The consent of all such persons shall be shown on the plat.
- b)A certificate showing that all taxes and special assessments due and payable have been paid in full; or if such taxes have been protested as provided by law, monies or other sufficient escrows guaranteeing such payment of taxes in the event the protest is not upheld, may be placed on the deposit with such officials or governing bodies to meet this requirement.
- c)A copy of any deed restrictions applicable to the subdivision.

SECTION 3. EXTENT AND MANNER OF PHYSICAL IMPROVEMENTS: As a condition to the approval of a final plat, the subdivider shall agree to install the following improvements:

- 1.Streets: Streets shall be surfaced with concrete, asphaltic concrete, or materials approved by the engineer; except that subdivisions of land into lots larger than five acres may be improved with gravel streets approved by the engineer.

Street improvements shall be 32 feet in width on arterial and collector streets; and 28 feet on local streets. The improved surface of a turning circle on a cul-de-sac shall have a minimum radius of 50 feet.

- 2.Water: Where a public water supply is proposed to serve the subdivision, said water lines shall be installed in proper easements or within the limits of the street and alley rights-of-way and shall be of a size as approved by the engineer, and by the Missouri Department of Natural Resources. Water lines in street rights-of-ways shall be placed in back of the street and service lines stubbed out across the street prior to street construction.

# CITY OF PLATTSBURG, MISSOURI

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## SUBDIVISION REGULATIONS

3.Sewer: If the subdivision is serviced with a public water supply and a city or community sewage treatment plant, the sewer system shall be constructed which will provide service to each lot within the subdivision. The system of lateral sewers shall collect the sewage within the subdivision and discharge it into a main sewer or a community disposal system approved by the engineer, and an approval, in writing, of the plans and specifications for the sewer system shall be made by the engineer, and by the Missouri Department of Natural Resources. Sewer lines in street right-of-way shall be placed back of curb and sewer lines stubbed out across the street prior to the street construction.

4.Street Signs: Street signs will be supplied and erected by the appropriate governing authority.

5.Sidewalks: Sidewalks shall be installed at a minimum of four feet in width on at least one side of all arterial and collector streets, and on both sides of all streets in a plat of a commercial development.

6.Other Improvements: If other improvements are required, such as tree planting, retaining walls, drainage structures, etc., such improvements shall be made in accordance with the recommendations of the Planning Commission and specifications of the engineer having jurisdiction.

a)All lot corners and deflection points shall be set with one-half diameter iron bars 24 inches in length. All boundary and block corners shall be 5/8 inch diameter iron bars 36 inches long.

b)All block corners and all curve points in the street alignment must be permanently set prior to acceptance of the plat by the City. Prior to any lot being sold, the total block must be monumented and corners set for all lots. Block corners shall be set a minimum of four inches below the finished grade elevation.

For boundary corners, all such monuments shall be placed in the ground and encased within a concrete cylinder six inches in diameter and 30 inches in length. The top elevation of such cylinder shall be established to two inches below the finished grade elevation. The iron bar shall extend above the top elevation of such cylinder no higher than two inches. In the event of unusual topography, all such monuments may be established upon the completion of all grading or construction; provided however, that a satisfactory security for the actual placement of such monuments be first accepted by the Planning Commission or Board of Commissioners.

c)A minimum of two benchmarks (monuments) shall be placed in each subdivision, located and installed as required by the engineer. In subdivisions larger than 40 acres, one benchmark shall be installed for each additional 20-acre area. The monument shall be a three inch brass cap set permanently in concrete, 10 inches in diameter by 24 inches

# CITY OF PLATTSBURG, MISSOURI

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## SUBDIVISION REGULATIONS

deep approved by the engineer. The elevation of the monuments shall be identified on each.

7.Improvement Procedure: After the approval, but prior to the recording of the final plat, the subdivider must make all required improvements.

In lieu of the actual construction of all physical improvements prior to the issuance of building permits, the Board of Aldermen may, at the option of the developer, accept a bond or other method of financial assurance acceptable by the City in the amount that will guarantee the construction of the required improvements within a period of time to be specified and approved by the Governing Body. Such surety shall be properly executed prior to any grading, or construction shall be released in segments upon written approval of the City.

Prior to issuance of building permits, all street paving, storm drainage, and utility lines must be installed in accordance with City requirements and plans approved by the appropriate utility company and all grading work completed.

8.Acceptance of Improvements: Upon the receipt by the Governing Body of the certificate of the inspecting official that all improvements have been installed in conformance with the approved engineering drawings, and with the requirements of these Regulations, and all other applicable statutes, ordinances and regulations, the Governing Body and/or such appropriate utility shall thereupon by resolution or by letter, respectively, formally accept such improvements. The improvements shall become the property of the Governing Body or appropriate utility company involved.

**SECTION 4. CONSIDERATION BY THE PLANNING COMMISSION:** If the Planning Commission does not make a determination of approval or disapproval of the final plat within 60 days after the final plat has been submitted for consideration, such plat shall be deemed to have been approved, and a certificate shall be issued by the Secretary of the Planning Commission upon demand. If the Planning Commission shall find that the plat does not conform to the requirements of the Subdivision Regulations, it shall notify the owner or owners of such fact. If the plat does conform to the regulations, it shall have endorsed thereon the fact that it has been submitted to and approved by the Planning Commission. The Recorder of Deeds shall not file any plat for land located within any area governed by Subdivision Regulations as provided by law until such plat shall bear the endorsement hereinbefore provided.

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## SUBDIVISION REGULATIONS

### ARTICLE VII RE-SUBDIVISIONS

SECTION 1. LOT SPLIT: A re-subdivision of an existing lot or parcel which results in the creation of no more than one additional lot or parcel shall only require the submittal of a final plat in accordance with lot split requirements of these Regulations.

SECTION 2. RE-PLATS: A re-subdivision of an existing lot or parcel which results in the creation of two or more additional lots or parcels shall require the submittal of both a preliminary plat and a final plat in accordance with Articles V and VI of these Regulations.

SECTION 3. REVIEW: The engineer shall review said re-subdivision to determine if the existing infrastructure (i.e., sewer lines, water lines, streets, etc.) needs to be upgraded as a result of the creation of an additional lot or lots. If upgrading is needed, the re-subdivider shall be responsible for the improvements.

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## SUBDIVISION REGULATIONS

### ARTICLE VIII VARIANCES AND EXCEPTIONS

SECTION 1. VARIANCES: Whenever it is found that the land included in a subdivision plat presented for approval is of such size or shape or is subject to or is affected by topographical location or conditions, or is to be devoted to such usage that full conformity to the provisions of these regulations is impossible or impractical, the Planning Commission may recommend to the Governing Body, by letter of transmittal, authorization of variances or exceptions in the final plat so that substantial justice may be done and the public interest secured. In recommending such variances or exceptions, the Planning Commission shall find the following:

1. That there are special circumstances or conditions affecting the property.
2. That the variances or exceptions are necessary for the reasonable and acceptable development of the property in question.
3. That the granting of the variances or exceptions will not be detrimental to the public welfare or injurious to other property in the vicinity in which the property is situated.
4. Such request for variance shall be approved or disapproved by the Governing Body after its consideration of the recommendation of the Planning Commission. The decision of the Governing Body shall be transmitted in writing to the subdivider and the Planning Commission.

SECTION 2. APPEALS: The subdivider may appeal decisions made in the enforcement and administration of these Regulations by the engineer to the Planning Commission, and by the Planning Commission to the Governing Body. The decision of the Governing Body shall be final and shall be made in writing and transmitted to the subdivider and Planning Commission.

SECTION 3. WAIVERS: Any waiver of the required improvements shall be only by the Governing Body on a showing that such improvement is technically not feasible.

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## SUBDIVISION REGULATIONS

### ARTICLE IX AMENDMENTS

SECTION 1. AMENDMENT PROCEDURE: These Regulations may be amended at any time according to procedures for amending the Zoning Regulation text, except that the Planning Commission and the Governing Body each may act only after holding separate public hearings.

SECTION 2. PUBLIC HEARING: The hearing shall be conducted and a record of the proceedings shall be preserved in such manner and according to such procedures as the Planning Commission may from time to time prescribe by rule. Any interested person or party may appear and be heard at the hearing.

SECTION 3. ACTION BY THE PLANNING COMMISSION: Upon the conclusion of the public hearing, the Planning Commission shall prepare and adopt its recommendations and shall submit the same, together with a record of the hearing, to the Governing Body.

SECTION 4. ACTION BY THE GOVERNING BODY: When the Planning Commission submits a recommendation of approval or disapproval of such amendment, the Governing Body shall hold a public hearing, duly advertised, and may adopt such recommendation or take no further action.

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## SUBDIVISION REGULATIONS

### **ARTICLE X** **MISCELLANEOUS PROVISIONS**

SECTION 1. SUBMISSION TO THE GOVERNING BODY: After approval of the final plat by the Planning Commission, such final plat, together with the recommendations of the Planning Commission, shall be transmitted to the Board of Aldermen for its review and acceptance.

SECTION 2. RECORDED PLATS: Seven copies of the recorded plat shall be provided by the subdivider and shall be submitted to the Zoning Administrator for distribution to various public and quasi-public departments, offices, and agencies.

SECTION 3. SEVERABILITY: If any section of this Regulation be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, then such section shall be considered separately and apart from the remaining provisions of these Regulations, said section to be completely severable from the remaining provisions of these Regulations, and the remaining provisions of these Regulations shall remain in full force and effect.

SECTION 4. PENALTY: Any person violating the provisions of the Subdivision Regulations is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$100.00 nor more than \$500.00.

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## ARTICLE XI EFFECTIVE DATE

These Regulations shall take effect and be in force after its passage, approval, and adoption.

Approved by the City of Plattsburg Planning Commission this \_\_\_\_ day of \_\_\_\_\_, 19 \_\_.

(SEAL)

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairman

Adopted by the City of Plattsburg Board of Aldermen this \_\_\_\_ day of \_\_\_\_\_, 19 \_\_.

ATTEST:

\_\_\_\_\_  
City Clerk

(SEAL)

\_\_\_\_\_  
Mayor

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