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ARTICLE I. IN GENERAL

Section 27-1. Short Title

This chapter shall be known as the "Subdivision Ordinance of the City of Grandview, Missouri."

Section 27-2. Purpose

The purpose of these regulations is to provide for the orderly growth and harmonious development of the City of Grandview, to provide minimum standards for the design, development, and improvement of all new subdivisions and resubdivisions of land, and to ensure that adequate public facilities can be provided to promote the public health, safety and general welfare of the citizens of the City of Grandview, Missouri.

Section 27-3. Compliance; required, exceptions

(a) *Exceptions to application.* Any plat or subdivision of land, or any part of which is within the city limits of the City of Grandview, shall be prepared, presented for approval and recorded as herein prescribed. The regulations contained herein shall apply to the subdivision of a lot, tract, or parcel of land into two (2) or more lots, tracts, or other divisions of land for the purpose of conveyance or of building development, whether immediate or future, including the resubdivision or replatting of land, except that these regulations shall not apply to the following:

1. Any lot, tract or parcel for which a building permit has been issued by the city prior to January 1, 1984, upon which construction or improvement has commenced pursuant to the terms of such building permit.
2. Those cases wherein any political subdivision of the State of Missouri or any other person having the right of eminent domain acquires real property for an authorized public purpose.
3. Any lot, tract, or parcel, the deed or other conveyance for which was recorded in the Office of the Jackson County department of records prior to January 1, 1978.
4. Minor subdivisions, lot consolidations, and lot line adjustments pursuant to section 27-44 of this chapter.

(b) *Approval by Board of Aldermen.* No plat or conveyance of land shall be accepted or recognized by the City of Grandview unless such plat or conveyance has first been approved by the Board of Aldermen pursuant to this chapter.

Section 27-4. Definitions

The following words or phrases, as used in these subdivision regulations, shall have the following meaning:

Alley: A minor way, dedicated to public use, which is used primarily for vehicular access to the back or side of properties otherwise abutting on a street.

Base flood: A flood having a one per cent chance of annual occurrence.

Block: A piece or parcel of land surrounded by highways, streets, streams, railroad rights-of-way, parks, or any other barrier, or a combination thereof.

Board of Aldermen: The Board of Aldermen of the City of Grandview, Missouri.

Bond, maintenance: A surety bond for the purposes of guaranteeing the maintenance of all improvements required by the city.

Bond, performance: A surety bond in an amount that will provide for the improvements required by the city.

Bond, surety: Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit.

Building: Any object or assembly of materials constructed or installed on, above, or below the surface of a lot, tract, or parcel, and includes but is not limited to, any combination of materials, whether portable or fixed, having a roof, to form a building for occupancy by persons, animals, or property; anything attached to building; any pole, pipeline, or other part of a distribution system whether located on, above, or below the surface of a parcel.

City: The City of Grandview, Missouri.

Comprehensive Plan: A compilation of policy statements, goals, standards, and maps for guiding the physical, social, and economic development, both public and private, of the city as adopted by the Board of Aldermen, pursuant to Section 89.340 of the revised Statutes of Missouri, and includes any part of such plan separately adopted and any amendment to such plan or parts thereof.

Cul-de-sac: A street having only one end open to traffic and being permanently terminated by a vehicle turnaround.

Easement: A conveyance for a specific purpose of any interest in land or the use thereof by a property owner to the public, a corporation, a person, or any other entity,

Flood plain: The channel of a river or stream or lake or other body of water and the land adjacent thereto, regardless of physical obstructions, which is subject to inundation in the event of a base flood.

Frontage: That portion of a lot abutting a street.

Freeway: A divided roadway serving high speed traffic over long distances, characterized by complete control of access and grade separated crossings, which is a subclassification of thoroughfares. These streets are shown on the thoroughfare plan, and are of regional or national significance.

Improvements: Street pavements with curbs, sanitary and storm sewers, permanent street monuments, water mains, survey monuments, sidewalks, street name signs, traffic control signs, fire hydrants, street lights, and other utility lines.

Lot: A tract, parcel or portion of land intended as a unit for the purpose of transfer of ownership or development.

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Ord. No. 5630, Approved 06/10/2003

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Lot Consolidation: The combining of one or more existing parcels of land into a single new parcel with one legal description.

Lot line adjustment: The sale or exchange of parcels of land between owners or adjoining properties for the purpose of adjustments in boundaries or of adjusting building lines, wherein no new lots are created.

Lot, flag: A lot situated at the end of a cul-de-sac or which, because of special circumstances, has less than the required frontage abutting a street and is accessible only by a drive but which otherwise conforms to the definition of a lot.

Metes and bounds description: A description of real property described by starting at a known point and describing the bearing and distances of the lines forming the boundaries of the property or described by delineation of a fractional portion of a section, lot, or area by described lines or portions thereof, and not described by reference to a lot or a block.

Minor subdivision: The division of a lot, tract, or parcel of land into five (5) or fewer lots, wherein each lot therein meets the design and development standards of these regulations.

Pedestrian way: A right-of-way dedicated to public use to facilitate pedestrian access to adjacent streets, properties, or public areas.

Person: Any individual, person, corporation, partnership, or any other entity.

Planned group development: A development planned as a unit provide for integrated design by allowing flexibility in the design of the buildings, yards, setbacks, yard requirements, and other performance standards, resulting in efficient use of the and in harmony with surrounding development.

Plat, combination: A combination preliminary and final plat taken through the approval process as a single plat meeting all requirements of both the preliminary and final plat including payment of both fees.

Plat, final: A complete and exact subdivision plat, prepared for official recording as required by statute, to define property boundaries and proposed streets and other improvements.

Plat, preliminary: An initial plan for subdivision drawn to scale indicating prominent existing features of a tract and its surroundings and the general layout of the proposed subdivision.

Professional land surveyor: A land surveyor licensed and registered in the State of Missouri.

Public improvement manual: A manual of technical standards for public improvements as adopted and approved, and is reviewed on a regular basis by the Board of Aldermen of the City of Grandview.

Public utility company: Any utility company having the power of eminent domain.

Registered professional engineer: An engineer licensed and registered in the State of Missouri.

Right-of-way: A portion of land used or intended to be used for a street, crosswalk, railroad, road, or other public use not included within the dimensions or areas of lots or parcels.

Setback line or building line: A specifically established line parallel to and set back from the street right-of-way line, which identifies an area into which no part of the building shall project except as provided in the zoning ordinance.

Street: A strip of land, including the entire right-of-way, intended primarily as a means of vehicular and pedestrian travel which may also be used to provide space for sewers, public utilities, trees, sidewalks, and other public improvements.

Street, arterial: A street serving traffic within the same metropolitan area providing access to and from population centers and areas of employment, recreation and shopping. These streets are shown on the thoroughfare plan, and are utilized primarily for heavy volume traffic on continuous routes.

Street, collector: A street providing a link between neighborhoods or development units and the thoroughfare system. Collector streets are identified in the thoroughfare plan and are designated as commercial/industrial collectors and residential collectors. Collector streets function as secondary land

service streets which move traffic from major streets, which distribute traffic regionally, to minor streets, which distribute traffic to individual lots within a neighborhood.

Street, local: A street providing access to individual properties abutting the street, on which through traffic is discouraged. Local streets are identified on Grandview's thoroughfare plan.

Street, private: A street providing access to individual properties but not dedicated to public use.

Structure: See definition of "Building".

Subdivider: A person proposing or undertaking the subdividing of land.

Subdivision: The division of a lot, tract, or parcel of land into two (2) or more lots, plots, sites, or other divisions including a resubdivision of land, vacation or creation of streets, lots, alleys, and other public rights-of-way, changes in street lines, and changes in lot lines.

Section 27-5. Recording of plat

Upon approval by the Board of Aldermen, the subdivider shall be responsible to record such final plat and any subdivision agreement required by the Board of Aldermen in the office of the Jackson County department of records within thirty (30) days of the date of approval by the board. The subdivider shall furnish to the city one original mylar and two (2) paper copies approved as recorded with the county.

Section 27-6. Interpretation

These subdivision regulations are not intended to annul, abrogate, impair or interfere with any previously recorded restriction, agreements, or covenants running with the land except that if these regulations impose a greater restriction upon the use or development of land than imposed or required by such previous restrictions, agreements, or covenants, then the provisions of this chapter shall prevail.

Section 27-7. Administration

The provisions of this chapter shall be administered by the director of community development in accordance with Chapters 89 and 445 of the Revised Statutes of Missouri, 1978, as amended.

Section 27-8. Fees Established

The fees for the review of plans and plats herein provided shall be in addition to any other fees imposed by this or other ordinances, and shall be paid as follows:

1. No fee is required upon submission of a sketch plan for review by the city staff.
2. The fee for a preliminary plat submitted for review shall be thirty dollars (\$30.00) an acre, with a minimum fee of three hundred dollars (\$300.00).
3. The fee for a final plat submitted for approval shall be twenty dollars (\$20.00) an acre, with a minimum fee of two hundred dollars (\$200.00).

Section 27-9. Conformity with Zoning Ordinance

All plats and plans subject to the provisions of these subdivision regulations shall conform to all applicable provisions of the zoning ordinance. No final approval of any plat shall be granted by the Board of Aldermen unless it complies with the zoning ordinance, except as herein provided.

Section 27-10. Conformity and Compliance with Flood Damage Prevention Ordinance

All final plats and plans, required to be submitted pursuant to the provisions of these regulations, shall also comply with all requirements of the ordinances of the city regulating the construction of buildings and other development in the designated floodplain areas within the city.

Section 27-11. Prohibited Acts

- (a) *Sale of lots.* No sale, conveyance, or development of any lot, tract, or parcel of land within the city subject to the provisions of these regulations shall be made without first complying with the requirements contained herein.
- (b) *Metes and bounds subdivisions.* It shall be unlawful to convey or subdivide any lot, tract or parcel of land within the city by the use of metes and bounds description except as specifically authorized in section 27-44 of these regulations.
- (c) *Issuance of building permits.* No building permit shall be issued for any building or improvement on any lot, tract, or parcel of land until all requirements of these regulations, and of the zoning ordinances, have been met.

Section 27-12. Modifications

If any mandatory provisions of these regulations are shown by the subdivider to be unreasonable and to cause undue hardship as they apply to the proposed subdivision, the Board of Aldermen, after review and recommendation by the Planning Commission, may grant a variation from the strict application of these regulations, so that substantial justice may be done and the public interest secured; provided that such variation will not have the effect of nullifying the intent and purpose of these regulations. In granting variations and modifications, the Board of Aldermen may impose such conditions as will, in its judgement, secure substantially the objectives, standards, or requirements so varied or modified. Any variation or modification granted by the Board of Aldermen shall be in accordance with the following criteria:

1. There are special circumstances or conditions affecting the property.
2. The variation or exception is necessary for reasonable and acceptable development of the property in question.
3. The granting of the variation or conditional exception will not be detrimental to the public welfare or injurious to other property in the vicinity in which the particular property is situated.

Section 27-13. Severability

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

Section 27-14. Effective Date

These regulations shall be effective after this final passage, approval and publication as provided by law.

Section 27-15. Violation and Penalty

Any person who violates any of the provisions of these regulations or neglects or refuses to comply therewith, shall, upon conviction thereof, be punished by a fine of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00) or by imprisonment for a period of not more than six (6) months, or by both fine and imprisonment.

Sections 27-16—27-40. Reserved

ARTICLE II. PROCEDURE FOR APPROVAL

Section 27-41. Preapplication Conference

Whenever a subdivision located within the city is proposed, the subdivider shall schedule a preapplication conference with the director of community development. The conference should be attended by the director of community development, and such other city representatives as needed. The purpose of the conference shall be to acquaint the city with the proposed subdivision, and to acquaint the subdivider with requirements, procedures, and any special problems relating to the proposed subdivision

Section 27-42. Preliminary Plat Submittal

The subdivider shall prepare and file with the director of community development twelve (12) copies of the preliminary plat, at least fifteen (15) days prior to review by the Planning Commission, drawn at a scale of one inch equals one hundred (100) feet or larger. Sheet size shall not exceed twenty-four (24) inches by thirty-six (36) inches. The preliminary plat shall be clearly marked, and shall show, or have attached thereto, the following data:

(a) Descriptive Data

1. Title or proposed name of the subdivision.
2. Scale, north arrow and date of preparation.
3. Name, address and phone number of subdivider, engineer, and/or surveyor.
4. Legal description.
5. Vicinity map clearly showing location of the proposed subdivision in relationship to adjacent subdivisions, streets or roads.

(b) Existing Conditions Data

1. Topography by contours shown on the same map as the proposed subdivision layout. The contours shall be at not more than two (2) feet unless conditions warrant; however, in no case shall contours exceed ten (10) feet.
2. Location, width and names of all platted rights-of-way or permanent structures to remain.
3. Location of floodways, floodplains, streams or natural drainage subject to occasional water transport.
4. Existing zone (by note).
5. Acreage (by note).

(c) Proposed conditions data.

1. Street layout, including location, width and proposed names of platted streets and easements; and connections to adjoining tracts.
2. Lot dimensions with each lot numbered individually; and total number of lots.
3. Location, width, and use of easements.
4. Designation of all land to be dedicated or reserved for public use with use indicated.
5. Entry monument signs.

(d) Proposed Utility Methods

1. Sewage disposal including location and size of lines.
2. Water supply including location and size of lines.
3. Storm water disposal including layout of proposed system and locations of outlets, catch basins, and direction of flow.
4. Temporary and permanent erosion control devices to be used.

(e) Presentation to Planning Commission

1. The director of community development, upon receipt of the required copies of the preliminary plat, shall provide copies thereof to such persons as necessary to review the plat; and shall schedule the plat for consideration by the Planning Commission. The director shall prepare a staff report for presentation to the commission.
2. The Planning Commission shall examine the preliminary plat, and such other information it deems necessary to ascertain whether the preliminary plat conforms to the ordinances of the city, and conforms to the comprehensive plan and other duly adopted plans of the city. The commission shall, within forty-five (45) days of the filing of the plat with the director of community development, take action to approve, deny, modify, or conditionally approve, said plat. If such recommendation is to deny, modify, or conditionally approve the plat, the reasons therefor shall be set forth in writing, and a copy shall be provided to the applicant. Denial of a preliminary plat by the Planning Commission shall require the applicant to resubmit a modified preliminary plat for reexamination, except that the denial may be appealed to the Board of Aldermen, which may approve or overrule such denial. Appeal of the denial of a preliminary plat must be made in writing within ten (10) days of such denial. If the Planning Commission recommendation is to approve, or if the Board of Aldermen on appeal approves the preliminary plat, the applicant may proceed with final plan drawings and final plat submittal, to the Planning Commission.

(f) Duration of preliminary plat approval. The approval of a preliminary plat by the Planning Commission, or by the Board of Aldermen on appeal, shall be valid for a period of one year from the date of such approval, after which such plat shall be void, except upon application to and approval by the *Planning* Commission of an extension of such period of validity.

Section 27-43. Final plat submittal

The subdivider shall, within one year from the date of approval of the preliminary plat, or any approved extension thereof, prepare and file with the director of community development, the original and twelve (12) copies of the final plat, at least fifteen (15) days prior to review by the Planning Commission. No final plat shall be considered by the Planning Commission unless a preliminary plat for the area included in the proposed final plat has been approved by the Planning Commission within the time frame as set forth above. The final plat shall be prepared in accordance with the preliminary plat and shall be clearly marked, "Final Plat."

(a) Presentation to the Planning Commission.

1. Copies of the final plat shall be submitted to the Planning Commission for their recommendation to the Board of Aldermen.
2. The Planning Commission shall have the power to approve, approve conditionally, or to disapprove any final plat.
3. If the Planning Commission approves the final plat, it shall endorse its approval upon the original drawing and shall submit the same to the Board of Aldermen for consideration.
4. If the Planning Commission approves the final plat with conditions, or disapproves a final plat, it shall transmit its findings to the subdivider and the subdivider shall not resubmit the final plat until all conditions or limitations have been corrected, or the subdivider may appeal in writing the decision of the commission to the Board of Aldermen.

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(b) Required submittal data.

1. Name of subdivision.
2. Name and address of the owner and subdivider.
3. Scale, north arrow and date on each sheet.
4. All monuments to be of record.
5. Sufficient survey data to positively describe the bounds of every lot, block, street, easement, or other areas shown on the plat, as well as the outer boundaries of the subdivided lands.
6. Accurate dimensions in feet and decimals of feet shall be shown for all lines, angles, and curves used to describe boundaries, lots, streets, alleys, easements, structures, areas, and other important features within the plat. All curves shall be circular arcs and shall be defined by the radius, central angle, tangent, arc and chord distances. All dimensions, both linear and angular, are to be determined by an accurate control survey in the field in accordance with the Missouri Department of Natural Resources Land Survey Division (Division 30).
7. Location by section, township, range, county, and state, including descriptive boundaries of the parcels, as divided, based on an accurate traverse, giving angular and linear dimensions which must mathematically close and shall be referenced to the state grid system available from the city. The allowable error of closure shall be third order accuracy or better. All calculations shall be furnished showing bearings and distances of all boundary lines and lot lines. Location of boundary shall be shown in reference to existing official monuments or the nearest street lines, including true angles and distances to such reference points or monuments.
8. All adjoining property shall be identified, and where such adjoining properties are a part of a recorded subdivision, the name of that subdivision shall be shown. If the subdivision platted is a resubdivision of a plat or the whole of a previously recorded subdivision, sufficient ties shall be shown to controlling lines appearing on the earlier plat to permit an overlay to be made. Resubdivisions shall be labeled as such in a subtitle following the name of the subdivision wherever the name appears on the plat.
9. Street names and clear designation of public alleys.
10. Block and lot numbers.
11. Authorization of platting and certification of dedication of all streets, public highways, alleys, parks and other land intended for public use, signed by the owner or owners and by all other parties who have lease rights, mortgage or deed of trust, interest in the property. All such signatures shall be notarized.
12. Provision for the signature of the Planning Commission chairman certifying that the Planning Commission has recommended approval of the final plat.
13. Provision for the signature of the Mayor and the City Clerk certifying that the foregoing plat has been filed in the office of the city clerk and that the city approved said plat.

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14. Accurate dimensions for any property to be dedicated or reserved for public use, and the purpose for which such property is dedicated or reserved for public use, and a dedication thereof to the public use.
 15. A certificate by a professional land surveyor that the plat was prepared by the surveyor or under the surveyor's supervision, signed and dated by the surveyor and bearing the surveyor's Missouri registration number and seal.
- (c) *Supplementary requirements.* In addition to the final plat contents, the following material shall accompany the submittal of the final plat.
1. A drainage study indicating how drainage and detention ponding systems shall be accomplished without adversely affecting neighboring properties. The report shall also address flood plain delineations and restrictions. The report shall be prepared by a registered professional engineer .
 2. A street lighting plan, conforming with the specifications of the controlling utility company shall be submitted, which will include the location of all easements.
 3. A coordinate map of the final plat describing all points of intersect by means of a coordinate system approved by the director of community development.
 4. Entry monument sign plans.
 5. Four (4) copies of complete engineering plans for all required improvements to be installed. The plans shall bear the certificate and stamp of a registered professional engineer. In addition, a copy of all design calculations as may be required by the director of community development shall be provided. Public utility facilities shall be shown on the plan for reference purposes.
- (d) *Completion and acceptance of improvements.* Before the city will approve the final plat, all of the hereinafter described improvements shall be constructed and accepted by the city or a subdivision agreement addressing these improvements shall be executed. Before said acceptance, the city engineer shall report that the said improvements meet all city specifications and ordinances or other city requirements, and that the improvements are in accordance with the agreements between the subdivider and the city.
- (e) *Subdivision agreements.* Before the Board of Aldermen shall accept a final plat, for which required public improvements have not been satisfactorily provided, the subdivider and any other party whose guarantee may be required by the Board of Aldermen, shall have entered into a written subdivision agreement with the city. The subdivider shall agree to make and install, according to a specific schedule, all improvements required. The subdivision agreement may address the following:

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1. Installation of improvements.
2. Time schedules and completion of installation.
3. Phasing in improvements if applicable.
4. Financial guarantees.
5. Open space requirements and schedule of dedication of payment of fee-in-lieu of land dedication, if applicable.
6. Conditions of plat approval.
7. Any negotiated terms for the completion of the subdivision as agreed to by the subdivider and the Board of Aldermen.

(f) *Final plat authorization.* The approval of the final plat shall constitute authorization by the city for the installation of improvements as required by these regulations and as shown in conjunction with the detailed final plans; provided that no such improvement shall be constructed or installed until and unless the plans, profiles, cross sections and specifications for the construction of such improvements has been submitted to and approved in writing by the director of community development.

(g) *Financial guarantees.* All financial guarantees shall be in a form acceptable to the city counselor and finance director and in an amount approved by the city engineer.

1. a. *Performance guarantee.* The subdivision agreement, described in subsection (e), shall require the subdivider, at the option of the city, to provide a surety bond or letter of credit or to enter into an escrow agreement as defined herein guaranteeing the performance of all public improvements. The dollar amount of such financial guarantee shall be for no less than one hundred (100) per cent of the then current estimated cost of the improvements as computed by the director of public works. Utility requirements under the jurisdiction of utility companies shall not be a part of the dollar amount, but shall be subject to installation prior to acceptance of any improvements by the city.
- b. Improvements shown on the engineering plans which do not constitute public improvements may be waived from the financial guarantee at the discretion of the director of public works provided that the written agreement for improvements is deemed to be appropriate guarantee that such improvements shall be made.
- c. As portions of the improvements are completed in accordance with city specifications and the necessary verifications have been supplied to the satisfaction of the city engineer, the director of public works shall authorize the reduction of such financial guarantees to an amount equal to one hundred and ten (110) per cent of the then estimated cost of completion of the remaining uncompleted improvements as determined by the city engineer.
- d. The subdivider shall in no way be relieved of any obligations to make the improvements, nor is the city obligated to assume the responsibility for any improvements, by reason of acceptance or approval of any financial guarantee.
- e. Said surety bond, letter of credit, or escrow agreement shall provide that the City of Grandview (or any officials of the City of Grandview as designated by the Board of Aldermen) has the right to contract for the installation of all required improvements not completed following the end of the expiration of the improvements schedule included in the subdivision agreement. Said surety bond, letter of credit or escrow agreement shall guarantee the transfer of sufficient funds to the City of

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Grandview to pay for said improvements. The amount guaranteed by the surety bond, letter of credit, or escrow agreement shall be sufficient to pay the estimated total cost of the remaining required improvements as determined by the city engineer. If a phased subdivision has been approved by the Planning Commission and Board of Aldermen, recorded with the Jackson County Department of Records, and phases beyond the first phase conform with the originally approved subdivision, the subdivider shall have the option of installing all required public improvements or guaranteeing all required improvements by providing a surety bond, letter of credit, or escrow account in an amount sufficient to pay the estimated cost of the remaining required improvements as determined by the city engineer. Further, a statement shall be placed on the final plat referencing that a subdivision agreement has been filed of record against the plat with the Jackson County Department of Records and that its covenants shall run with the land and shall bind the parties to the plat, their successors in interest and all assigns and that further information regarding this subdivision agreement can be obtained from the Department of Community Development, City of Grandview, Missouri.

- (2) Any escrow amount held by the city pursuant to this subsection to secure actual construction and installation of each component of the public improvements shall be released within thirty (30) days of acceptance of each category of public improvements to be installed, minus a maximum retention of five percent (5%) which shall be released upon completion of all public improvements, all in accordance with RSMO Section 89.410.3.
- (3) *Maintenance bond established.* The owner and subdivider of the land being platted shall be required to provide to the city proper maintenance bonds, satisfactory to the city, so as to ensure that for a period of two (2) years from the date of acceptance of any improvement, the owner and subdivider shall be responsible to maintain such improvement in good repair.

(h) Presentation to the Board of Aldermen.

1. Upon receipt of a recommendation from the Planning Commission, the Board of Aldermen shall approve, deny, or conditionally approve such final plat. If such final plat has been disapproved by the Planning Commission, a vote of not less than three-fourths of the members of the Board of Aldermen shall be required to approve such plat.
2. If the plat is found to conform to the ordinances and standards of the city in the comprehensive plan and other duly adopted ordinances and standards, the Board of Aldermen shall approve the plat, and shall cause its approval to be entered on the plat as required.
3. Action on the final plat by the Board of Aldermen shall be taken within sixty (60) days of the date of filing of the plan with the city clerk, unless such time period is extended by agreement between the subdivider and the city. If the action is to disapprove the plat, the reasons therefor shall be set forth in the official records and such decision shall be provided in writing to the subdivider.

Section 27-44. Minor Subdivisions, Lot Line Adjustments, and Lot Consolidations.

This section provides for an expedited process for the approval of minor subdivisions, lot line adjustments, or lot consolidations:

(a) *Minor subdivisions.* A minor subdivision application may be submitted to the director of community development if the proposed subdivision meets the following criteria:

1. The proposed subdivision contains not more than five (5) lots.
2. Each lot meets the design and development standards of these regulations except that standard street improvements are waived when, in the opinion of the director of community development, such improvements do not already exist in the surrounding area, when the installation of such improvements does not serve an obvious public need and when such a waiver shall not be contrary to the public interest.
3. The proposed subdivision is not in conflict with the comprehensive plan, major thoroughfare plan, zoning ordinance, or other sections of these regulations.
4. All required dedications of public rights-of-way and easements, if any, are made and accepted by the Board of Aldermen.
5. Minor Subdivision surveys shall contain all graphical submittal data as required in Section 27-43(b) for Final Plats, except that each parcel of land created through this process shall be designated as a “Tract” with an accompanying metes and bounds description.

(b) *Lot line adjustments.* An application for a lot line adjustment may be submitted to the director of community development if the proposed adjustment meets the following criteria:

1. The proposed lot line adjustment between owners of adjoining properties is solely for the purpose of adjustments in boundaries, or for the purpose of adjusting building lines.
2. Additional lots are not created.
3. No lot remaining after such lot line adjustment is less than the minimum lot sizes, setback and other lot standards required in the zoning ordinance.
4. Lot Line Adjustment surveys shall contain all graphical submittal data as required in Section 27-43(b) for Final Plats, except that each parcel of land involved in this process shall be designated as a “Tract” with an accompanying metes and bounds description.

(c) *Lot consolidations.* An application for a lot consolidation may be submitted to the Director of Community Development if the proposed consolidation meets the following criteria:

1. The proposed consolidation is of lots under a single ownership.
2. Lot consolidation surveys shall contain all graphical submittal data as required in Section 27-43(b) for Final Plats, except that the parcel of land created through this process shall be designated as a “Tract” with an accompanying metes and bounds description.

(d) *Application procedure.* The procedure for requesting a minor subdivision, lot consolidation, or a lot line adjustment shall be as follows:

1. The applicant shall submit an application for a minor subdivision, lot consolidation, or a lot line adjustment on forms provided by the director of community development and pay an application fee of one hundred and fifty dollars (\$150.00).
2. The application shall include six (6) paper copies of the proposed land survey as prepared by a professional land surveyor or engineer. The land survey shall include all proposed lots, existing buildings, utilities, easements, sanitary sewers, drainage ditches, distances between buildings and lot lines, and any other graphical information required by Section 27-43 for Final Plats or by the director of community development.
3. The director of community development shall, within fourteen (14) days of the filing of the application, approve or reject the minor subdivision, lot consolidation, or lot line adjustment. The applicant shall be notified in writing of the action of the director. If such application is rejected by the director, the applicant may submit a plat as authorized by this chapter, or may appeal to the Board of Aldermen by filing with the city clerk a written notice of appeal within fifteen (15) days after notification of rejection by the director.
4. If such application is approved by the director of community development, the applicant shall submit the original document to the director in the form of three (3) mylars and four (4) paper copies, and they shall be stamped "approved by the director of community development", and shall be signed accordingly.
5. Upon approval of the minor subdivision, lot consolidation, or lot line adjustment, the land survey shall be recorded by city staff in the office of the Jackson County department of records within thirty (30) days of the date of approval by the director of community development. The city shall retain one original mylar and two (2) paper copies approved as recorded with the county.

Sections 27-45—27-50 Reserved

ARTICLE III. DESIGN AND DEVELOPMENT STANDARDS

Section 27-51. Land Suitability

No land shall be subdivided which is found to be unsuitable by reason of flooding, ponding, poor drainage, adverse soil conditions, adverse geological formations, unsatisfactory topography, or other conditions likely to be harmful to the public health, safety or general welfare.

Section 27-52. Construction Standards for Improvements

In addition to complying with all standards set forth in these regulations, all subdivisions and all improvements authorized or required by these regulations shall conform with the technical standards for public improvements set forth in the public improvements manual of the City of Grandview.

Section 27-53. Streets

The following standards shall apply to all streets to be located within the subdivision:

- (1) Streets shall provide a continuation of major streets from adjoining platted areas, and extension of major streets into adjoining unplatted areas. Where platting encompasses a location for a major street proposed in the comprehensive plan, the plat shall provide for such extension.
- (2) Street grades shall align to existing streets and all grades for streets shall be as approved by the director of community development.
- (3) Street right-of-way widths and pavement widths shall be as specified in the public improvements manual.
- (4) Half-streets are prohibited, except where an existing platted half-street abuts a subdivision, a platted half- street to complete the street shall be required.
- (5) Minor streets shall be designed to connect to major collector or arterial streets, and to discourage through traffic.
- (6) Offset street intersections shall be avoided, or allowed only in compliance with standards in the public improvements manual.
- (7) Streets shall intersect at right angles as nearly as possible.
- (8) Dead-end streets are prohibited, except where a street is planned to continue beyond the boundary of a subdivided property, in which case a temporary dead-end may be allowed.
- (9) Cul-de-sac streets shall also be permitted and they are not to exceed six hundred (600) lineal feet in length.

- (10) Streets, which are, or will become extensions of existing streets, shall be given the same name as such existing streets. New street names shall not be the same as or sound similar to existing street names.
- (11) Surface drainage across residential lots or along the side or rear lot lines shall be avoided wherever practical. Where such surface drainage on residential lots is necessary, easements shall be provided and the director of community development may require installation of pipe, masonry or rip-rap flumes, or such other protective devices in order that adjacent or surrounding property or the welfare of the public shall not be endangered and maintenance will be kept to a minimum.

Section 27-53.1. Street Name Change Fee Established

Any application or petition filed with the city requesting a street name change shall be accompanied by a three hundred dollar (\$300.00) fee.

Section 27-54. Blocks and Lots

The following standards shall apply to blocks and lots.

- (1) No residential block shall be longer than one thousand three hundred (1,300) feet. The width of blocks should be arranged so as to allow two (2) tiers of lots, with utility easements.
- (2) Lot arrangement and design shall be such that all lots shall provide building sites.
- (3) The size and shape of all lots shall comply with all requirements of the zoning ordinance for the zone in which the lot is located, except for flag lots as may be authorized by these regulations.
- (4) All lots shall abut a street, and shall have a minimum frontage as required in the zoning ordinance, except that flag lots may have less than such frontage as required by the zoning ordinance, but in no case shall it be less than twenty (20) feet.
- (5) Lots should not front, or have direct access to arterial streets, except where unavoidable, because of the topography. In such cases the subdivision shall be so designed to minimize the number of lots fronting on arterial streets.
- (6) All lot lines shall be at right angles to straight street lines or radial to curved street lines, except where a variation to this provision will provide a better street and lot layout.

Section 27-55. Open Space

- (a) All subdividers in residential zoning districts shall provide for open space, parks, or recreational facilities as a part of such residential subdivision or development. This requirement shall be satisfied by one of the following:
 - (1) Dedication of open space land for public use; or
 - (2) Payment of fee in lieu of dedication of open space land; or
 - (3) Development of parks and recreational facilities within the subdivision.
- (b) Open space, parks, and recreational facilities required by this section should be within the general area of the development, and should serve the needs created by such development.
- (c) The Board of Aldermen shall determine the acceptability of dedicated lands, or the development of park and recreational facilities in the subdivision, or payment of fee in lieu of dedication, as the board deems appropriate to meet the requirements of is section. No building permit shall be issued until the provisions of this section are satisfied. These provisions apply to the development of all land for residential use in the City of Grandview regardless of the zoning.

Section 27-56. Dedication of Open Space Lands

- (a) *Schedule.*
 - (1) If the Board of Aldermen determines that the dedication of land by the subdivider is acceptable and in compliance with this section, such dedication shall be by warranty deed from the subdivider to the city or shall be dedicated by the plat. The amount of land required to be dedicated shall be not less than required in the following schedule of dedication:

Schedule of Dedication
(Minimum Requirement)

Land Use	Amount of Dedication
Single-family	5.0% of total land area subdivided for that use
Two-family	7.5% of total land area subdivided for that use
Multifamily	10.0% of total land area subdivided for that use

- (2) The minimum required dedication of open space shall be in addition to minimum required yard areas and space reserved for off-street parking required by the zoning ordinance. The percentage of space required to be dedicated shall be based upon the total area of the development or subdivision used for residential development, excluding any commercial use.
- (b) *General requirements.* All lands to be dedicated shall meet the following general requirements:
 - 1. **Size and shape:** The tract should contain not less than five (5) contiguous acres and be a minimum of two hundred (200) feet at the narrowest dimension.

2. Location and accessibility: The tract should be located in or adjacent to the subdivision and easily accessible to same. Consideration should be given to placing parks where they can be added to by future subdivisions, or are an addition to an existing park.
3. Topography-drainage: At least fifty (50) per cent of the park area should have a grade less than four (4) per cent. The balance may be covered with steep slope, streams, ditches, lakes or other natural features.
4. Natural features: Features such as trees, brooks, hilltops and views should be preserved whenever possible. The subdivider shall designate or show at the time of filing the final plat the trees, and other natural features, which are to be retained. The preservation and creation of lakes and wooded areas are to be encouraged.

(c) *Private recreation facilities.* No open space, parks, or recreational facilities to be constructed and maintained by the subdivider or other persons as a feature of the development for the benefit of those residents of the subdivision being created shall be used to satisfy the requirements of this section.

Section 27-57. Fee in Lieu of Land Dedication

(a) *Fee in lieu of dedication fee schedule.*

<i>Land Use</i>	<i>Per Acre Basis*</i>	<i>Per Dwelling Units Basis</i>
Single-family	\$ 500.00 per acre	\$150.00
Two-family	\$ 800.00 per acre	\$120.00
Multifamily	\$1,200.00 per acre	\$100.00

*Fractional parts are prorated.

(b) *When fee is to be paid.* The fee in lieu of dedication shall be paid at the time of final platting. The Board of Aldermen may approve a schedule of deferred payment, and may allow payments of fees on dwelling unit basis at the time of issuance of building permits. In either case, the method for fee in lieu of dedication shall be specified in either a subdivision agreement between the city and the subdivider or the ordinance approving the final plat.

(c) *Special fund created.* All fee in lieu of dedication payments shall be deposited in a separate fund established by the city, and such funds and the interest thereon shall be used only for the purchase, development, renovation and maintenance of neighborhood park and recreational facilities determined by the Board of Aldermen as being reasonably accessible to the residents of such subdivision.

Section 27-58. Resubdividing; open space requirements

Any lands resubdivided after passage of this chapter shall be subject to the provisions of this section, except that land dedicated or fee in lieu of dedication payments previously made on the same land will be credited against the obligations of the subdivider pursuant to this section. In no instance will lands so dedicated or fees paid to the city be returned to subdividers.

Section 27-59 Reserved

ARTICLE IV. IMPROVEMENTS

Section 27-60. Generally

The subdivider shall, at his expense, install and construct all improvements required by these regulations. All required improvements shall be installed and constructed in accordance with the public improvements manual and such other standards required by law.

Section 27-61. Requirements

The following improvements shall be installed at the expense of the subdivider and shall conform with or surpass all design standards and construction specifications required by the public improvements manual and other applicable laws. All public improvements are subject to approval by the director of public works.

- (1) Survey monuments
- (2) Streets
- (3) Sidewalks
- (4) Sanitary sewers
- (5) Drainage systems
- (6) Fire hydrants
- (7) Street trees
- (8) Water lines, electrical systems, telephone systems, and natural gas systems.
- (9) Entry monument signs as approved by the Planning Commission.
- (10) Any other improvements not specifically mentioned above, if found necessary by the planning commission due to the nature of the subdivision.

Section 27-62. Survey Monuments

The external boundaries and corners of each block and lot shall be permanently marked with iron rods, pipes, pins or other monuments not less than one-half inch in diameter and extending at least twenty-four (24) inches below grade.

Section 27-63. Streets

All streets in the subdivision shall be paved, curbed, and guttered, including necessary drainage structures, grading, and planting, in accordance with the public improvements manual and all other applicable laws. All street pavings shall be located in the center of the right-of-way.

Section 27-64. Sidewalks

Sidewalks shall be installed by the subdivider on at least one side of all residential local streets, except cul-de-sacs, and on both sides of all other streets. Sidewalks abutting arterial streets shall not be less than five (5) feet in width. All other sidewalks shall be not less than four (4) feet in width. Sidewalks shall be located in the platted street right-of-way, usually one foot from the property line. Sidewalks shall also be installed in any pedestrian easements as may be required by the Planning Commission. All sidewalks shall be handicapped accessible, and shall be constructed in accordance with the public improvements manual and all other applicable laws.

Section 27-65. Sanitary Sewers

The subdivider shall be responsible for the design and proper installation of a sanitary sewer system that serves each lot within the subdivision in accordance with Missouri Clean Water Commission and City of Grandview standards and requirements. All lines shall extend to the boundaries of the subdivision so that abutting subdivisions may connect therewith. The sanitary sewer system shall be constructed in accordance with the plans and specifications of the city and at the sewer grades established by the director of public works.

Section 27-66. Drainage System

The subdivider shall install culverts, storm sewers, rip-rap slopes, stabilize ditches, provide for detention systems, and make such other improvements to adequately handle storm and surface water, as may be required by the Board of Aldermen.

Section 27-67. Fire Hydrants

Fire hydrants shall be installed and located in accordance with standards established by the Board of Aldermen or as recommended by the fire chief of the City of Grandview or his designated representative.

Section 27-68. Street Trees

Trees, shrubbery, and other plantings required by any application ordinances or standards of the City of Grandview shall be planted in accordance with such ordinances and standards, and shall be in accordance with the street tree ordinance.

Section 27-69. Other Utilities

The subdivider shall install all utilities, including a water supply approved by the Missouri Board of Health, natural gas, and/or electricity, and telephone lines and all other customary utilities to serve such subdivision. Such utilities shall be installed according to the specifications and minimum standards of the respective controlling utility company or public agency. Underground installation of utility distribution lines is encouraged.

Section 27-70. Installation or Payment for Public Improvements

- (a) Any required utility or street extensions, as determined by the director of community development, outside the subdivision boundary and made necessary by the creation of the subdivision, shall be the responsibility of the subdivider. Such offsite improvements shall include obtaining the necessary public easements and/or rights-of-way.
- (b) The subdivider is hereby required to pay one hundred (100) percent of the cost of all improvements required in section 27.61 of these regulations, except as in the following areas:
 - (1) Where an existing or proposed street abuts a subdivision, the subdivider shall dedicate fifty (50) percent of right-of-way as required by these regulations in accordance with the transportation element of the comprehensive plan.

- (2) Where a designated collector or arterial street runs completely through the property owner's land, the property owner shall be required to pay one hundred (100) percent of the cost necessary to construct a collector street in accordance with the city's standards and dedicate the right-of-way as required for said street by these regulations.

Section 27-71. Oversizing/Reimbursement

Oversizing/reimbursement of streets and appurtenances shall conform with the following:

(a) Oversizing of streets.

(1) Where a designated street, according to the city's thoroughfare plan, runs through the proposed subdivision, the subdivider shall be responsible for the construction of such a street to a collector street standard.

(2) If the designated street exceeds the collector standard, the subdivider shall be required to construct the designated street subject to reimbursement by the city of the construction cost of the difference between the collector street and arterial street. Should reimbursement funds by the city not be available, the subdividers responsibility for construction shall be limited to a collector standard; however, the design shall be modified to facilitate future expansion of such street. Any required improvements deleted by the director of community development in order to facilitate the future street expansion shall not relieve the responsibility of the subdivider for such improvements. The cost of such deleted improvements shall be paid to the city. Such monies received shall be deposited in a street construction fund, which may be expended by the Board of Aldermen for the purpose of construction of arterial and collector streets within the city. Should the subdivider make such payments, he shall be relieved of any obligation for the completion of such deleted improvements.

(b) Oversizing sanitary sewer system. The subdivider shall be required to provide sanitary sewer systems with adequate capacity to serve the subdivision. Sewer systems shall be extended to the boundaries of the subdivision when required to facilitate future extension of such systems. When oversizing of a sewer main in excess of the design standards of these regulations is required by the Board of Aldermen to facilitate community usage, the city shall reimburse the construction cost of the oversize to the subdivider upon completion and acceptance of such improvement subject to terms agreed upon by the subdivider and the Board of Aldermen.

Section 27-72. Resubdivision; public improvements

Any lands resubdivided after passage of this chapter shall be subject to the provisions of this section. Any payment in lieu of installation previously paid on same lands will receive credit; however, in no instance will fees by the city be returned or refunded to subdividers.

Section 27-73. Easements Required

(a) Public utilities. Where alleys are not provided, or where otherwise required by the present or future placement of public utilities, easements of not less than ten (10) feet in width shall be granted by the owner along rear or side lot lines for public utilities. Except where prohibited by topography, such easements shall be centered on lot lines. Easements of greater width may be required along lot lines, or across lots when necessary for the placement and maintenance of utilities. No buildings or structures, except as necessary for utilities, shall be permitted on such easements.

(b). *Public areas.* Public access easements shall be required where necessary to provide access to dedicated or private open spaces provided with the platting of the subdivision.

Section 27-74. Inspections

- (a). Construction shall not commence on any of the improvements required by these regulations prior to granting of a public improvement permit. All plans shall have been approved by the director of public works prior to issuance of a public improvements permit.
- (b). All public improvements required by these regulations shall be inspected and approved by the director of public works as such improvements are being installed. The subdivider shall secure inspection services of the city prior to the commencement of construction of any such improvement.
- (c). All construction shall conform to the public improvements manual of the City of Grandview. If not specifically set forth in that manual, construction shall conform with the Kansas City Metropolitan Chapter of the American Public Works Association Specifications.

Section 27-75. Conditions of Acceptance; as-Built Plans and Guarantees

- (a) Prior to the acceptance of any public improvements by the city, the subdividers engineer or surveyor shall prepare and certify the "as-built" plans for the improvements. A copy shall be provided to the director of public works for review and approval by the city prior to acceptance of any improvement.
- (b) The subdivider shall provide the city a two-year maintenance guarantee of the municipal improvements, which shall commence at the time of acceptance in writing of such improvements. The guarantee shall be in the form of a maintenance guarantee acceptable to the director of public works. In no case shall the performance bond be released until all public improvements have been accepted by the city. The two-year guarantee shall ensure any repairs or replacement of the improvements found to be necessary by the director of public works.
- (c) Upon completion of all improvements required by these regulations, the subdivider shall make written request to the city for final inspection and acceptance of such improvements. Within thirty (30) days, the director of public works shall give notice to the subdivider of the municipal improvements acceptance or a deficiency list preventing such acceptance. Upon acceptance of such subdivision improvements, the two-year warranty period shall commence. No partial acceptance shall be considered unless a phased development plan of the subdivision has been approved by the Board of Aldermen as a part of the plat approval process.

Subdivision of Land

Chapter 27 of the Grandview Code of Laws