

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 22 – SUBDIVISION REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KIRKSVILLE, MISSOURI.**

**WHEREAS**, amendments and additions to the Subdivision Regulations are needed to address sidewalk construction in new subdivisions, cul-de-sac maintenance, subdivision monuments, and lot split procedures; and

**WHEREAS**, these amendments and additions are necessary for the correct interpretation and use of the said codes and are for the benefit and safety of the citizens of the City of Kirksville; and

**WHEREAS**, the Planning and Zoning Commission voted on the amendments listed below for Subdivision Regulations, they approved those changes, and they are forwarding their recommendation to City Council; and

**WHEREAS**, a public hearing was duly advertised and held on April 20 by the Kirksville City Council to hear from citizens on the proposed Subdivision Regulation changes.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KIRKSVILLE, MISSOURI, AS FOLLOWS:**

Amendments and additions for Chapter 22 Subdivision Regulations referred to in this ordinance shall be approved and incorporated into the Code of Ordinances of the City of Kirksville, Missouri.

The Code changes required are shown below with strikeouts for deleted sections. The additions are printed in bold letters. All Sections refer to Chapter 22 Subdivision Regulations.

**Section 1.** To amend Article II, Procedures, as follows:

Article II – Procedures

Division 2. Major Subdivisions

Sec. 22-11 (c) (1)

f. *Subdivision signs, monuments; their location, **fees, insurance, type of construction, and a statement of the owners intent to maintain:*** Subdivisions shall be permitted to be identified by means of monuments, statues, signs, etc. They may be located on ~~public or private land~~ **or can be on public land is approved by City Council**. The location of said symbols shall be shown on the **preliminary plat and on the final plat**. **The one-time fee for a monument or sign of any type is \$5,000 if approved for the public right-of-way. This fee is intended to recover the city's cost if repairs or maintenance of the monument/sign is not performed in the future and it must be removed from the public right-of-way and the developers/owners of the subdivision are deceased or cannot be located. The fee is due and payable once**

**City Council approves the Final Plat for a new subdivision. The fee for a monument or sign placed on private property is \$2,500. Any sign placed on private property must be on a full size residential lot meeting minimum size by city ordinance. All costs of erection and maintenance of the sign or monument shall be borne by the developers/owners if in the right of way, or the owner of the property if placed on private property. The city shall have the right to remove said monuments in the case of disrepair, need for public improvements, etc. Any costs incurred for said removal of a monument or sign shall be at the cost of the developer/owner if they are living and can be located. Monuments/signs may show only the name of the Subdivision or area and cannot show information for advertising. All wording for the monument/sign must be approved by the city Codes & Planning Director.**

Section 2. To amend Article II, Procedures, as follows:

Article II – Procedures

Division 5. Lot Splits.

Sec. 22-21. Approval of survey.

(a) The subdivider shall submit the field survey to the plat officer.

- (1) Any property that has been split after May 20, 1985, will not be able to be split again except by using the Minor Subdivision process. See Division 4 of Article II of Chapter 22 in the Code of Ordinances.**
- (2) Water and sewer mains must run adjacent to some part of the parent lot and the newly created lot to qualify for a lot split. Adjacent is defined in this ordinance as: on the same side of the street, across the street, in the street, or no farther than 250 feet from the nearest lot line of both the parent lot or the newly created lot, unless the newly created lot is to be included as a Lot Combination with a lot that currently has these services.**
- (3) Any new lot created and zoned as commercial or industrial must be located no farther than three hundred (300) feet from an existing fire hydrant.**
- (4) Any new lot created and zoned as residential must be located no farther than six hundred (600) feet from an existing fire hydrant.**
- (5) Part of each lot must front upon a city street, unless the split off portion will be legally combined with an adjacent lot that has street frontage.**

Section 3. To amend Article III, Design Standards, as follows:

Article III – Design Standards

Sec. 22-22. Streets.

(10) All streets which are designated as permanent dead end shall be terminated by a cul-de-sac having a street line radius of sixty (60) feet and pavement radius of forty-nine (49) feet, unless permitted by the city's planning and zoning commission and the city council. In R-1 residential zones, cul-de-sac length should be limited to twenty (20) houses. In all other zones, cul-de-sac length shall be limited to five hundred (500) feet. **All new cul-de-sacs must be designed to provide only hard surfaces on the inside of the curbed area. No grass, dirt, or landscaped areas will be allowed. Street**

stubs shall be platted and paved at intervals along the boundaries of the subdivision in order that vehicle and pedestrian access will be provided to future subdivisions adjacent. The spacing and location of the street stubs shall be determined by topography, maximum block length requirement of Section 22-104, the logical future street patterns of the adjacent property and the street and lot pattern of the subject subdivision.

Section 4. To amend Article III, Design Standards, as follows:

Article III – Design Standards

Sec. 22-27. Sidewalks.

**(d) Any required public sidewalk on each lot in new city subdivisions can be delayed for construction up to one year after the Final Occupancy Permit is issued for a completed house. However, all of the required public sidewalks in the Subdivision must be completed within 5 years from the date the City Council approved the Final Plat for the new Subdivision.**

Section 5. This ordinance shall be of full force and effect on the day of passage.

**PASSED BY THE CITY COUNCIL AND SIGNED BY THE MAYOR ON THIS 20<sup>th</sup> DAY OF APRIL, 2015.**

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Richard Detweiler, Mayor

ATTEST:

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Vickie Brumbaugh, City Clerk