

APPENDIX 29-B
SUBDIVISION ORDINANCE
PROPOSED REVISIONS

Table of Contents

Sec. 1. General Provisions
 Sec. 2. Definitions
 Sec. 3. Subdivision Platting Procedures
 Sec. 4. General Planning Standards
 Sec. 5. Improvements Required
 Sec. 6. Improvement Procedures and Surety
 Sec. 7. Rule Exceptions
 Sec. 8. Administration and Appeals
 Sec. 9. Filing Fees
 Sec. 10. Penalty for Violations; Actions
 Sec. 11. Effective Date

SUBDIVISION REGULATIONS

SECTION 1

GENERAL PROVISIONS

1. Jurisdiction: These regulations shall apply to all land located in the incorporated area of the City of Joplin, Missouri.
2. Purpose and Intent: The purpose and intent of these regulations is to provide for the harmonious development of the community to provide for the proper location and width of streets, building lines, open spaces, safety and recreation 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, sewer, drainage, and other utility mains and piping or connections or other physical improvements shall be installed; and to provide for and secure the actual construction of such physical improvements.
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 subdivisions, 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, unless exempted under Sub-section 1.4.

4. Exemptions: These regulations shall not apply in the following instances:

1. The division of any parcel or tract of land when the smallest parcel created is greater than 5 acres.
2. A change in the boundary between adjoining land which does not create an additional or substandard lot.
3. Land used for street 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, or for a cemetery.
4. Any lot, parcel, or tract of land located within the area governed by these regulations which was subdivided, re-subdivided or replatted prior to adoption of these regulations. However, any further re-subdivision of lots, parcels or tracts must be done in accordance with these regulations.
5. Any transfer by operation of law.
6. Agriculture (Limited or General) uses on a tract of land not less than five acres.

SECTION 2

DEFINITIONS

Agricultural Uses: The use of a tract of land of not less than 5 acres for the growing of crops, pasturage or nursery, including the structures necessary for carrying out farming operations and the dwellings of those owning or operating the premises, a member of the family thereof, or persons employed thereon, and the family thereof.

Alley: A dedicated public right-of-way, other than a street, which provides only a secondary means of access to abutting property, the right-of-way of which is twenty feet or less in width.

Block: A piece or parcel of land entirely surrounded by public highways, streets, streams, railroad rights-of-way or parks, etc. or a combination thereof. **Cul-de-sac:** A street having one end open to traffic and being permanently terminated by vehicular turnaround.

Comprehensive Development Plan: The comprehensive plan for the City of Joplin, including subsequent amendments.

Director of Public Works: The person responsible to perform the duties of the Director of Public Works including any and all special engineers as appointed by the City Manager.

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.

Easement: A permanent or temporary grant of right by a landowner to the public, a corporation or other persons of the use of a portion of a lot or tract of land for specified purposes where title to said portion of the lot or tract of land remains with the landowner.

Final Plat: A plan or map prepared in accordance with the provisions of this regulation 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.

Governing Body: The City Council of the City of Joplin, Missouri.

Highway: A thoroughfare controlled and maintained by the Missouri State Highway and Transportation Department.

Improvements: Street work, utilities, sidewalks, drainage structures and other physical modifications which are to be installed or constructed by the subdivider for the benefit of the lot owners and for the proper development of the community as a condition precedent to the approval and acceptance of the final plat.

Lot: A portion of land in a subdivision or other parcel of land under single ownership intended as a unit for transfer of ownership or for development, and, when more than one parcel are contiguous to one another.

Municipal Planer: The person responsible to perform the duties of the staff to the Planning and Zoning Commission, as appointed by the City Manager.

Open Space: An area of land or water or combination thereof planned for passive or active recreation but does not include areas utilized for streets, alleys, driveways or private roads, off-street parking or loading areas, or required front, rear or side yards.

Pedestrian Way: A right-of-way dedicated to public use, which cuts across a block to facilitate pedestrian access to adjacent streets and properties.

Planning Commission: City of Joplin Planning and Zoning Commission.

Plat--Preliminary: 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.

Plat--final. A drawing of a permanent nature showing the precise location and dimension of such features as streets, lots, easements and other elements pertinent to transfer of ownership and prepared for permanent record.

Rule exception: The allowing of a subdivision to deviate from one or more specific standards and requirements of these rules and regulations.

Secretary: Secretary of the Planning and Zoning Commission.

Setback: The required minimum horizontal distance between the building line and the related front, side, or rear property line.

Street: A right-of-way dedicated to the public use, which provides vehicular and pedestrian access to adjacent properties.

Street--private: A right-of-way which affords principal means of vehicular access to property abutting thereon, which right-of-way is owned, controlled and maintained by persons other than the public.

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

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. However, the division of land shall not be considered to be a subdivision when the smallest parcel created is more than five (5) acres in area. The term "subdivision" includes "resubdivision," and the term "resubdivision," as used herein, shall include any further subdivision of a lot or parcel of land previously subdivided for sale, use, or other purposes, which vary from the latest, approved plat of the same.

SECTION 3

SUBDIVISION PLATTING PROCEDURES

1. Submittals: All plats of subdivisions within the corporate limits of Joplin and as defined herein shall be submitted to the Planning Commission for approval. The Planning and Zoning Commission shall make a recommendation to the City Council for official action. No plat or other subdivision of property and no dedication or vacation of a public street or establishment of a private street shall be filed with the Register of Deeds as provided by law until approval shall have been endorsed thereon by the Planning and Zoning Commission and City Council of the City of Joplin.
2. Pre-Application: Prior to the filing of the preliminary plat, the subdivider shall contact the Municipal Planner to determine:
 - A. Procedure for filing plats.
 - B. Availability of municipal sanitary sewer service and other public utilities.
 - C. Comprehensive Plan requirements for improvements such as major streets, land use, parks, schools and public open spaces.
 - D. Zoning requirements for the property in question and adjacent properties.
 - E. Special setback requirements for primary thoroughfare, secondary thoroughfare and collector and local streets.
3. Preliminary Plats: After reaching the preliminary conclusions regarding the requirements for the proposed subdivision, the subdivider may submit a preliminary plat together with any supplementary information necessary to the Municipal Planner.
 - A. Submission of a Preliminary Plat:
 - (1) Filing Fee: A filing fee in an amount established in Section 9 of these regulations shall accompany the filing of each preliminary plat. The preliminary plat shall not be accepted for filing until the filing fee therefore has been paid by the subdivider.
 - (2) Number of Copies: This subdivider shall submit ten copies of the preliminary plat and of a vicinity map (if not on the preliminary plat) showing the location of the proposed subdivision. These plats shall be filed with the Municipal Planner at least 21 days prior to a regular meeting of the Planning and Zoning Commission at which the preliminary plat is to be considered.

- (3) The subdivider shall submit a certificate proving ownership of the entire tract to be platted.
- (4) The subdivider shall submit proof that the proposed plat has been reviewed by all affected utility companies or agencies along with any comments from these companies or agencies.
- (5) A preliminary grading and drainage plan, including location and size of all storm sewers, existing and proposed land elevations and contours, and necessary widths of all open drainage ways shall be submitted to the Director of Public Works. These plans are not intended to be detailed suitable for construction.
- (6) A copy of any deed restrictions proposed for the subdivision.
- (7) The subdivider shall indicate on the plat the regulatory flood elevation, and shall assure that (a) all such proposals are consistent with the need to minimize flood damage, (b) all public utilities and facility improvements, such as sewer, gas, electrical, and water systems are designed to be located, elevated and constructed to minimize or eliminate flood damage, and (c) adequate drainage is planned so as to reduce exposure to flood hazards.
- (8) 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 an 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, owner, and the engineer or land surveyor who prepared the plat.
 - d. Scale of the plat, 1"= 100' or larger.
 - e. Date of preparation and north point.
 - f. Existing conditions:
 - ◆ 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.

- ◆ All existing sewers, water mains, gas mains, culverts, or other underground installations, within or adjacent to the proposed subdivision, with pipe size and manholes, grades and location.
- ◆ Names of adjacent subdivisions together with arrangement of streets and lots and owners of adjacent parcels of un-subdivided land.
- ◆ Topography (unless specifically waived) with contour intervals of not more than two feet, referred to N.G.V.D.; except that, where the ground is too flat for contours, spot elevations shall be provided.
- ◆ Location of water courses, bridges, wooded areas, lakes, ravines and such other features as may be pertinent to the subdivision, including the regulatory flood elevation.
- ◆ Current zoning district classification.

- g. The general arrangements of lots and their approximate size.
- h. Location and width of proposed streets, alleys, and pedestrian ways and easements to accommodate drainage.
- i. The general plan of sewage disposal, water supply and drainage.
- j. Location and size of proposed parks, playgrounds, churches, school sites or other special uses of land to be considered for reservation or dedication for public use.
- k. General layout of adjacent property within two hundred feet to show how streets and other public facilities in the proposed subdivision relate to the adjacent property.
- l. Approximate gradient of streets.

- B. Preliminary Plat Action: The Planning and Zoning Commission shall recommend to approve, conditionally approve, or disapprove the preliminary plat within 30 days of submission of the plat. Action by the Planning and Zoning Commission shall be conveyed to the subdivider in writing. In case the plat is recommended to be disapproved by the Planning and Zoning Commission, the subdivider shall be notified of the reason

for such action and what requirements shall be recommended to meet the approval of the City Council. The City Council shall consider the Planning and Zoning Commission's recommendation and approve, conditionally approve, or disapprove the plat within 30 days of the meeting of the Planning and Zoning 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.

C. Effective Date: The approval of the preliminary plat shall be effective for two years.

4. Final Plat:

A. Submission:

- (1) After approval of the preliminary plat, the subdivider may submit a final plat. The Municipal Planner may accept simultaneous submission of the preliminary and final plats.
- (2) The original (on mylar, tracing cloth or similar material) and the number of prints required by the Planning and Zoning Commission shall be submitted to the City at least twenty-one days prior to the Planning and Zoning Commission public meeting at which the plat will be considered.
- (3) The names and signatures of the owner or owners of the property, duly acknowledged and notarized, shall appear on the original copies submitted.
- (4) The final plat, prepared for recording purposes, shall be drawn at a scale of at least 1"=100'. The size of the sheet on which such final plat is prepared shall be 36 inches by 22 inches. Where the proposed plat is of unusual size, the final plat shall be submitted on two or more sheets of the same dimensions. If two or more sheets are required, an index map of the same dimensions shall be filed showing the entire development at a smaller scale. The dimensions indicated are standard for all final plats and compliance is mandatory. Title, description and other written data shall be located either right or left.
- (5) The final plat shall be reviewed for accuracy by the Director of Public Works prior to submission to the City Council.
- (6) When possible, the final plat shall also be submitted on a 3 1/2 inch floppy disk in a Computer Aided Draft (CAD) language compatible with that currently used by the City of Joplin.

B. Information: The final plat shall show and contain the following information:

CITY OF JOPLIN, MISSOURI

SUBDIVISION REGULATIONS

- (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, including the descriptive boundaries of the subdivision based on an accurate traverse, giving angular and linear dimensions which must be mathematically correct. The allowable error of closing on any portion of the plat shall be one foot in five thousand. The surveyor shall tie the survey to the Missouri State Coordinate System. The plat shall contain information to show how the connection was made using grid distances and azimuths and to what first or second order stations the connection was made. The plat shall show the grid factor used.
- (3) The location of existing monuments or bench marks shall be shown and described on the final plat. Location of such monument 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 of lots; alley, street and highway rights-of-way; parks and other features with accurate dimensions 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, numbered clearly; and Blocks, numbered or lettered clearly in the center of the block.
- (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 and seal of the registered land surveyor preparing the plat.
- (10) Scale of the plat (scale to be shown graphically and in feet per plat scale inch), date of preparation and north point, including basis for north.
- (11) Statement dedicating all easements, streets, alleys, and all other public areas not previously dedicated.
- (12) The regulatory flood elevation.
- (13) The following certificates, which may be combined where appropriate:

CITY OF JOPLIN, MISSOURI

SUBDIVISION REGULATIONS

- 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 said subdivision map.
- b. A certificate signed and acknowledged as above, dedicating or reserving all parcels of land shown on the final plat and intended for any public or private use including easements and those parcels which are intended for the exclusive use of the lot owners of the subdivision, their licensees, visitors, tenants, and servants.
- c. The acknowledgment of a notary in the following form:

State of _____, County of _____, SS.

Be it remembered that on this _____ day of _____, 19____, before me, a notary public in and for said County 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.

(SEAL) _____
Notary Public

My Commission Expires: _____

- d. The certificate of the Planning and Zoning Commission in the following form:
This plat of _____ addition has been submitted to and approved by the Joplin Planning and Zoning Commission this _____ day of _____, 19____.

Chairman

- e. The approval of the plat and acceptance of easements and rights-of-way by the City Council in the following form:
This plat of _____ addition, including easements and rights-of-way accepted by the City Council has been submitted to and approved by the Joplin City Council by Ordinance No. _____, duly

CITY OF JOPLIN, MISSOURI

SUBDIVISION REGULATIONS

passed and approved by the Mayor on the _____, of _____, 19____. of Joplin, Missouri,

(SEAL)

Mayor

ATTEST:

City Clerk

City Engineer

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

Entered on transfer record this _ day of _____, 19____.

Deputy

County Recorder of Deeds

STATE OF MISSOURI)
COUNTY OF JASPER)

I, _____, Recorder of Deeds of said County, do hereby certify that the within instrument of writing was, on the ____ day of _____, 19____ at _____ o'clock and ____ minutes _M., duly filed for record in this office, and is recorded in the records of this office in Plat Book _____, at Page _____.

I witness whereof, I have hereunto set my hand and seal this ____ day of _____, 19____.

Recorder of Deeds

- C. Final Plat Action: Within 30 days after the submission of a final plat, the Planning and Zoning Commission shall approve, conditionally approve, or disapprove the final plat. After approval by the Planning and Zoning Commission, the City Council shall either approve or disapprove and accept or reject the dedication of land for public purposes within 30 days after the first meeting of the City Council after the plat was submitted to the City Clerk. The action of the Planning and Zoning Commission and the City Council shall be conveyed to the subdivider in writing within ten days of the meeting of the City Council at which the plat was considered. If the final plat is disapproved, the subdivider shall be notified of the reasons for such disapproval.
- D. After approval of the final plat by the city council, the city clerk shall cause said plat to be filed in the appropriate county with the Recorder of Deeds.

SECTION 4

GENERAL PLANNING STANDARDS
AND SUBDIVISION DESIGN REQUIREMENTS

Subdivision plats shall be prepared based upon the planning standards and subdivision design requirements of this Section.

1. Lots:

- A. Dimensions: Lot dimensions shall comply with the applicable zoning district standards.
- B. General Planning Standards: The lot arrangement shall be such that in constructing a building according to the applicable zoning district standards and the subdivision design standards of this chapter, topography or other natural conditions will not create difficulties in placing the building, in constructing driveways with reasonable grades, and in providing adequate yard areas. Acute angles created by side lot lines, and odd shaped lots shall provide for adequate easements and setbacks.

Residential lots generally shall not open or face directly onto a, primary thoroughfare street, shopping center, industrial district or park, and other similar nonresidential area. Residential lots may abut the above features in one of the following ways:

- When lots abut the above features, they shall be separated along the abutting property line by a 20 foot wide landscaped right-of-way transition buffer. The 20-foot wide buffer strip shall not be considered part of the lot's minimum depth, width, or area.
- Lots may face onto intersecting local streets with driveways opening onto the intersecting local streets. Corner lots that abut the major street right-of-way or the nonresidential area shall have a 20-foot wide landscaped right-of-way transition buffer strip along the abutting property line.
- Lots may be grouped around cul-de-sac or loop streets that open onto the major street. In such situations the corner lots abutting the major street right-of-way shall have a 20-foot wide landscaped right-of-way transition buffer strip along the abutting property line. The layout of lots, whichever method is used, is intended to restrict the number of access points to preserve the traffic carrying capacity of the major street, and to protect each lot's privacy and its freedom from noise, fumes, dust, and litter. Any landscaped strip required above shall not be part of the normal road right-of-way.

C. Design Requirements:

- (1) Frontage: Lots extending through a block area (double frontage lots) shall be generally prohibited except where they back onto or are adjacent to a highway

right-of-way, primary thoroughfare street, shopping center, industrial district, park, or other similar nonresidential area.

- (2) Lot Lines: Side lot lines shall generally be perpendicular to the right-of-way lines or radial to curved streets. Following completion of streets in a development, a recognizable mark, acceptable to the Director of Public Works, shall be cut in the back face of curbing to show the intersection point of all side lot lines extended to said streets. Such marks shall be in evidence when the street is inspected for final acceptance by the City.
 - (4) Setbacks: Placement of the building on the site shall comply with the setbacks standards of the underlying zoning district. The setbacks provided should also conform to topography and natural features of the site. In the case of an irregularly shaped lot or a lot bounded by only three lot lines, a line shall be established for the rear lot line by drawing a line no less than 10 feet in length and parallel to the front lot line, which intersects the side lot lines at the most distant possible points from the front lot lines, and shall be interpreted as the rear lot line for the purpose of determining required yards, setbacks and other provision of the Code.
 - (5) Driveways and Curb Cuts: Driveways and curb cuts shall conform to standards of the City of Joplin. The curb section of driveways and aprons shall be designed so that excessive break over angle, and rear bumper and exhaust pipe dragging will be eliminated.
 - (6) Access from Private Streets: Access from private streets shall be deemed acceptable only if such streets are designed and improved in accordance with this Section.
 - (7) Corner Lots: Corner lots for residential use shall have extra width to permit appropriate front yard setbacks from both streets. Lots abutting a pedestrian right-of-way shall be required to have a side yard of at least eight feet or more as determined by the Planning and Zoning Commission.
2. Blocks: Except for commercial and industrial subdivisions, blocks generally should not be less than 500 feet or more than 1,320 feet in length as measured from center lines of streets; no block width shall be less than twice the normal lot depth except where lots back onto a major street, natural feature, or subdivision boundary.

Block sizes for commercial or industrial subdivisions shall be designed to meet the needs of commercial uses that will occupy the subdivision. However, block sizes shall meet requirements of fire protection, snow removal, and other service and emergency vehicles.

A block shall be designed so as to provide two tiers of lots, except where the lots back onto a major street, natural feature, subdivision boundary, or other feature or facility that requires reverse frontage. In blocks exceeding 800 feet in length, the Planning and Zoning Commission may require reservation of a 15 foot wide easement through the block to provide for the crossing of underground utilities or pedestrian traffic where needed or desirable, and may specify further, at its discretion, that a paved pedestrian walkway be provided by the developer. Blocks intended for nonresidential uses shall be especially designed for such purposes, in accordance with zoning district.

3. Pedestrian Ways and Sidewalks:

- A. Easements: Dedicated easements for pedestrian ways, other than sidewalks in street rights-of-way, shall be no less than 10 feet wide, when required. The Planning and Zoning Commission or City Council may require a paved pedestrian walkway to be provided by the developer; width of said walkways to be established at the time the pedestrian walkway is required. The pedestrian way shall be treated as an easement. The pavement of a pedestrian way shall consist of concrete, asphalt or other surface material approved by the Director of Public Works. Planting pockets shall be provided in pedestrian ways for tree and shrub plantings. The planting plan and surface treatment shall be approved by the Planning and Zoning Commission and Council and maintained by the developer until dedicated to the City. Fences or other improvements may also be required if the Planning and Zoning Commission and City Council determine such necessary to protect adjacent property owners or pedestrians. The Planning and Zoning Commission and City Council may require that pedestrian ways be lighted, with the lighting to be located so as to adequately illuminate the walkway but not to disturb adjacent residences.
- B. Design and Construction: Sidewalks and walkways in pedestrian ways shall have a minimum pavement width of four feet, and shall have a minimal lateral slope of one-fourth inch per foot of width. Sidewalks shall be placed within the street right-of-way in conformance with details shown on standard street sections. Sidewalks shall be four-inch thick Portland cement concrete.
- C. Alternate Subdivision Sidewalk/Pedestrian Way Plan: It is recognized that in certain instances, due to topography and other conditions, a developer may wish to propose a pedestrian walkway plan for a specific residential subdivision that will require a deviation from the requirements for sidewalks as set forth above (such as a system of pedestrian walkways that would follow rear lot lines or which might border a natural drainage course). In such instances, an overall plan for the proposed alternate system of pedestrian walkways shall be submitted along with the subdivision Preliminary Plat and will be reviewed as a part of the Preliminary Plat approval process. An alternate sidewalk/walkway plan, to be considered favorably by the Planning and Zoning Commission, must provide a continuous system of walkways located within easements dedicated as pedestrian ways on the Final Plat, and complying with the requirements set

forth above or as may be otherwise established by the Planning and Zoning Commission for pedestrian ways.

4. Streets:

- A. Layout: Street layouts shall conform to the duly adopted and published comprehensive plan or the portion of it relating to streets and traffic. The arrangement of streets in the subdivision shall provide for the continuation of streets in adjacent subdivisions, where such extensions are deemed desirable by the Planning and Zoning Commission and where such extension is not precluded by topographic or other conditions. The layout shall provide for proper connection of principal streets to adjoining properties not yet subdivided. In general, all such streets shall have a width at least as great as the street being extended. Interior or minor streets in residential subdivisions shall be laid out so as to discourage their use by through traffic. Streets shall be arranged in proper relation to topography so as to result in usable lots and safe and reasonable grades, both for the streets and driveways intersecting therewith.

The street layout shall not isolate lands from existing public streets or roads, unless suitable access is provided, and such access be granted by easement or dedication to public use. Slight jogs in continuous streets at points of intersection with other streets shall not be permitted unless due to topography. Where offsets cannot be avoided, a minimum distance of 125 feet shall be established between center lines of the intersecting streets.

Where street connections to adjacent areas are to be provided for future use of those areas, they shall be constructed to the subdivision boundary or to a point as close as practicable to said boundaries (as determined by the Director of Public Works) and terminated with a barrier approved by the Director of Public Works.

Intersection of interior or minor residential streets with major secondary thoroughfare and collector and primary thoroughfare streets shall be reduced to a reasonable minimum but should, in general, be at least 300 feet apart, center line to center line, to preserve the traffic carrying capacity of major secondary thoroughfare and collector and primary thoroughfare streets, and to reduce the potential of accidents at such intersections. In general, all streets should intersect each other at right angles. In no case shall an intersection form an angle of less than 60 degrees. No more than two streets shall cross at one intersection. All street construction shall be centered on the street right-of-way. Section line and quarter line roads shall be centered on these lines unless the Director of Public Works approves an exception.

- B. Drainage: All streets shall be provided with facilities for adequate surface drainage. Such facilities shall be designed in accordance with requirements set forth in storm drainage standards of the City.

C. Half-Streets: Half-street improvements shall only be permitted where a subdivision abuts an existing street and where unusual circumstances make them essential to the reasonable development of a tract in conformance with this Section.

D. Abutting Streets:

- (1) Primary Thoroughfare Street: Where a subdivision or development borders an existing or proposed primary thoroughfare street, but does not utilize the primary thoroughfare street for direct access to individual lots, the subdivider or developer shall be required to provide sufficient right-of-way for its future widening or construction.

Where a development proposes to access one or more individual lots from an primary thoroughfare which it borders, the developer shall be responsible for any additional improvements as deemed necessary to maintain the present level of service and provide for the safe and efficient movement of traffic.

- (2) Other than Primary Thoroughfare Street: Where a subdivision borders an existing or proposed road, other than an primary thoroughfare, or where there are plans to realign or widen a road that would require use of some of the land in the subdivision, the applicant shall be required to dedicate the additional right-of-way required to widen or realign such roads. The applicant shall also be required to construct the equivalent of one half of a residential street and appertenants. In lieu of the above, the City Council may as minimum require the applicant to deposit in escrow an equivalent amount of cash.

E. Cul-de-sac Streets: Cul-de-sac streets shall be not more than 600 feet in length measured from the center line of the cul-de-sac to the center line of the connecting street (800 feet in subdivisions of one-half acre or larger lots). Exceptions may be made where topographic or other unusual existing conditions so require. Cul-de-sacs shall terminate with a minimum outside property line turnaround radius of 50 feet and a minimum curb line radius of 39 feet. The use of a "T" design for the cul-de-sac's terminus may be considered for cul-de-sacs of short length (less than 300 feet) when specifically approved by the Director of Public Works.

F. Decorative Islands: When specifically approved by the City Council, islands to be used for landscaping, statuary or other decorative purposes may be constructed by a developer in a dedicated reserve in the center of a cul-de-sac or other roadway pavement section. Decorative islands shall not be approved if it is possible that their installation would in any way impede traffic or create unsafe conditions, as directed by the Director of Public Works.

If decorative islands are approved, the developer shall, as a condition of such approval, assign full responsibility for maintenance of such islands to the homeowners'

association created by the developer for the subdivision. Provisions of the homeowners' association articles of agreement related to such maintenance shall be reviewed and approved by the City Council before approval of the Final Plat.

- G. **Private Streets:** Private streets are generally unacceptable in subdivisions in which any of the streets are dedicated to the public. Exceptions will be considered in commercial and industrial subdivisions and in planned unit developments if they are constructed to standards of this Section. A homeowner’s association or business district association shall be formed to maintain any private street. A sinking fund shall be established by any such association to finance maintenance of private streets, a monthly accounting of which shall be submitted annually to the Finance Director.

- H. **Marginal Access Streets:** Where marginal access streets are required, the developer shall be responsible for improving said marginal access streets according to City standards and shall dedicate, after construction, such streets and rights-of-way to the City of Joplin. A landscaped strip at least 20 feet wide shall be provided between a marginal access street and the adjacent street.

- I. **Street Names and Signs:** Street names shall not duplicate names of any existing street in Joplin and adjacent communities except where a new street is a continuation of an existing street. Street names that are spelled differently but sound the same shall be avoided. Generally no street should change direction by more than 90 degrees without a change in street name. The street name pattern previously adopted by Joplin shall be continued except as approved by the Director of Public Works. Night glowing street signs, approved by the Director of Public Works, will be provided and installed by the City at all street intersections at the developer's expense.

- J. **Street Classification:** The classification of all streets shall be determined by the City Council. Street classification in new subdivisions shall first be determined by the Director of Public Works when the Preliminary Plat of a subdivision is submitted. The final classification shall be determined by the City Council as approval of the Final Plat is made by that body.

The following street standards shall serve as the minimum requirements for street dimensions:

Street Standards	Residential	Secondary Thoroughfare and Collector	Primary Thoroughfare
Minimum right-of-way width	50 feet*	60 feet	80 feet**
Improved surface width	30 feet	40 feet	48 feet ***
Maximum gradient	10 pct.	8 pct.	6 pct.

CITY OF JOPLIN, MISSOURI

SUBDIVISION REGULATIONS

Min. sight distance: vertical curves	200 feet	400 feet	500 feet
Min. radii: horizontal curves	200 feet	400 feet	500 feet
Min. curb return radius	15 feet	18 feet	18 feet

- * A minimum right-of-way width of 60 feet in multifamily and industrial zoned districts.
- ** A minimum 90 feet right-of-way shall be provided for a distance of 200 feet from the intersection of the center lines of two primary thoroughfares.
- *** A minimum 60 feet right-of-way shall be provided for thoroughfares with center left turn lanes.

K. Standard Street Sections and Details: The subsections which follow set forth standard street sections and details which are to be used for future residential, minor secondary thoroughfare and collector, and major secondary thoroughfare and collector streets and for primary thoroughfares constructed within the City of Joplin.

- (1) Design for Persons with Disabilities: Access ramps for disabled persons shall be installed whenever new curbing or sidewalks are constructed or reconstructed in the City of Joplin. Such ramps shall conform with Americans with Disabilities Act (ADA) standards subject to review and approval by the Director of Public Works. These standards shall apply to any City street or connecting street for which curbs and sidewalks are required by this ordinance or on which curb and sidewalk have been prescribed by the City Council.
- (2) Approval of Grades: Profiles of streets shall be submitted to and approved by the Director of Public Works. Submittal information required for review of the Preliminary Plat shall include Preliminary street profiles. Final calculated street profiles will be required in submittal of construction plans required during review of the Final Plat.

L. Exceptions for Existing Improvements.

- (1) Where the proposed subdivision is a resubdivision or concerns an area presently having any or all required improvements as previously set out, and where such improvements meet the requirements of this Section and are in good condition as determined by the City Council upon its consideration of the opinion of the Director of Public Works, no further provision need be made by the subdivider to duplicate such improvements. However, where such existing improvements do not meet said requirements as determined by the City Council upon its consideration of the opinion of the Director of Public Works, the subdivider shall provide for the repair, correction, or replacement of such improvements so that all final improvements will then meet said requirements as determined by the City Council upon its consideration of the opinion of the Director of Public Works.

- (2) Where the proposed subdivision is a resubdivision or concerns an area presently abutting or continuing any existing public street of less than the minimum required right-of-way width or roadway width, land shall be dedicated so as to provide a minimum street right-of-way width established by these regulations or by the policy of the City Council; and the subdivider of such proposed subdivision shall provide an additional roadway pavement meeting the minimum standards set by these regulations and the City Council. The City Council shall determine what adjustment to make where the aforesaid widening merges with existing streets which are of smaller width at the boundary of such proposed subdivision. The City Council may reduce the minimum roadway system in the proposed subdivision if the extension of such roadway is already improved at each end of such roadway in the subdivision and the roadway in the proposed subdivision is two blocks or less in length.
5. Sewer and Other Utilities: Sanitary sewer and other utilities shall be designed and located according to specifications and procedural requirements of the City of Joplin, or according to the standards and specifications of the minimum standards of the controlling utility company or public agency. Sanitary sewerage facilities shall be designed and constructed in accordance with requirements set forth in the latest edition of the publication titled "Standard Specifications," including any supplements thereto as approved by the City. These documents are hereby made a part of this Section as though expressly rewritten and incorporated herein.
6. Water Utilities: The subdivider shall be responsible for coordinating with the water supplier for the City of Joplin to provide all water connections within the subdivision or development and supply all water supply lines, cross or connecting lines between fire hydrants, and fire hydrants. Approval of the location and placement of fire hydrants is the responsibility of the Fire Safety Inspector.
7. Drainage: In the planning and design of storm water management systems in the City of Joplin, the design criteria set forth in the latest edition of the City of Joplin design criteria and construction standards for storm sewer construction shall be used. The portions of these documents which are hereby referenced are made a part of this Section as though expressly incorporated herein.

The intent of the storm water runoff management plan, as required by this Section, shall be to apply storm water drainage policies and practices on a total watershed area basis so as to prevent or alleviate, to the greatest extent possible, downstream flooding problems and resulting property damage or deterioration. It is the policy of the City to encourage the developer to locate and design streets, blocks, lots, parks and open space in such a manner as to reduce the velocity of overland flow; allow the maximum opportunity for infiltration of storm water into the ground; and to preserve existing streams, channels, detention basins and floodplain areas as open space.

Where the storm water management plan, as approved by the Director of Public Works, indicates that the proposed development will aggravate downstream drainage or flooding problems, provisions shall be included in the design of storm drainage improvements for the temporary controlled detention of storm water runoff and its regulated discharge to the downstream storm drainage system. If storm water detention is required, the criteria and policies set forth in the following paragraphs shall be applied in the design and development of the final storm water management plan for the proposed project.

8. Easements: All public utility installations, including lines for street lighting systems, which traverse privately owned property, shall be protected by easements granted by the developer to the appropriate public utility and approved by the public utility. Such easements shall be so located as to not interfere with the use of any lot or other part of the subdivision. The size of, and restrictions pertaining to, such easements shall be in accordance with the standards and specifications of the agency having jurisdiction over the utility lines and the subdivision, and shall be indicated on the Preliminary Plat submitted for approval.

9. Erosion Control: Since considerable erosion can take place prior to the construction of houses and other buildings, facilities, and features in a subdivision, the storm water management plan and construction plans for a subdivision shall contain properly designed measures, as described and required by the City of Joplin "Design and Construction Manual", to control erosion and sediment discharge which would emanate from the subdivision area, especially within all critical drainage watershed areas (as determined by the Director of Public Works). The measures shall be incorporated into the final construction drawings. Erosion and sediment control measures shall conform to the standards and specifications established by the City Council and the Director of Public Works. The measures shall apply to all street and utility installations as well as to the protection of individual lots. Measures shall be instituted to prevent or control erosion and sedimentation during the various stages of construction of the subdivision.

Erosion control for drainage systems will be required in swales, ditches, or creeks and at the discharge points of all pipes where the velocity exceeds five feet per second. Silting basins or diversion channels will be required during the construction period to insure that mud and other debris is not washed into natural water courses or new or previously constructed storm sewers. The Director of Public Works may impose supplemental requirements or may delete requirements regarding sediment and erosion control measures if, in the judgment of public official, additional or revised requirements are justified or planned measures prove to be inadequate to properly control erosion.

10. Natural Features: The Planning and Zoning Commission may, wherever possible, require preservation of all natural features which add value to the proposed subdivision and to the community at large, such as large trees or groves of trees, water courses, historic features, wildlife habitats and environmental areas, and similar irreplaceable community assets. The location, nature and extent of such features shall be identified in the initial procedures and Preliminary Plat stages and shall be made a part of the subsequent plats to the greatest possible extent. The preservation or inclusion of such features may be made a condition of approval of the Final Plat. Adequate access to such areas shall be provided in all adjacent platting.

11. Uninhabitable Areas: Lands subject to flooding, as shown on the F.I.R.M., shall be indicated on the plat. Flood plains and other lands otherwise deemed uninhabitable in their natural state by the Planning and Zoning Commission and City Council shall not be platted for residential use, or for any other use that might create a danger to health, safety, or property, or which might increase the flood hazard within or outside the subdivision. Such lands shall be set aside for recreational use or shall be retained in their natural state as open space; provided however, that such lands may be platted and developed if the features making the lands uninhabitable can reasonably be removed without destruction of adjacent or nearby property or desirable natural features of the land and if necessary approval is obtained from the City Council. In all platting adjacent to such areas, adequate provisions for access to said areas, as determined by the Director of Public Works, shall be provided.

SECTION 5

IMPROVEMENTS REQUIRED

1. Required Improvements: The subdivider shall install or provide for the installation of the following improvements:
 - A. Streets:
 - (1) Streets in subdivisions comprised of lots smaller than three acres shall be paved and improved with curb and gutter in conformance with the Director of Public Works's standards and specifications.
 - (2) Streets in subdivisions comprised of lots larger than three acres, but less than five acres in size shall be paved in conformance with the Director of Public Works's standards and specifications. Curbs and gutters shall not be required.
 - B. Water: Where a public water supply is proposed to serve the subdivisions, said water lines shall be installed in proper easements or within the limits of the street and alley right-of-way. The system shall be of equal or better quality and size than the minimum standards of the public utility, and shall meet all State Department of Natural Resources (DNR) standards. The subdivider shall be responsible for coordinating with the water supplier for the City of Joplin to provide all water connections within the subdivision or development and supply all water supply lines, cross or connecting lines between fire hydrants, and fire hydrants as follows:
 - a. All supply lines will be a minimum of size of eight (8) inches.
 - b. All fire hydrants will be served with a minimum line size of eight (8) inches.
 - c. All cross or connecting lines between fire hydrants will be a minimum line size of eight (8) inches.
 - d. All fire hydrants shall be supplied and placed no farther than six hundred (600) feet in vehicular length of travel from any structure erected or to be erected within the subdivision or on adjacent property.

Where a private water supply is proposed, adequate provision shall be made for easements to allow installation of a public system should the property ever be annexed or required to develop a public supply. Private water systems shall meet all requirements of the MoDNR and the Missouri Department of Health.
 - C. Sewer: A public sanitary sewer shall be used in all subdivisions wherever possible. The sewer shall be designed and constructed to provide service to each lot within the

subdivision. The system of lateral sewers shall collect the sewage within the subdivision and discharge it into the City sewer system. All subdivisions which connect to the City sewer systems shall be required to be annexed into the City or enter into an agreement for services as directed by the Director of Public Works. Upon determination of the City that the City sewer system is not practicably available to the development, the subdivider may submit plans for consideration for disposal of sewage into a central, public treatment facility, or a private system. The sewer system shall be of equal or better quality and size than the minimum standards of the City as determined by the Director of Public Works. The sewer system shall meet all State DNR standards.

In subdivisions where individual private wastewater systems are proposed, adequate provision shall be made for easements to allow the installation of a public system should the property ever be annexed or required to develop a public system.

- D. Walks: Sidewalks shall be installed on both sides of all primary thoroughfare and secondary thoroughfare and collector streets, on both sides of the street in a commercial districts, and on one side of all residential streets, with the following exceptions:
1. Sidewalks shall not be required on interior streets within industrial subdivisions;
 2. Sidewalks shall not be required on the radius of turnarounds at the ends of cul-de-sacs; and
 3. Sidewalks shall not be required on a cul-de-sac less than 200 feet in length.

Street rights-of-way shall be sufficient to provide for sidewalks on both sides of the street, except in planned unit developments, where variations may be permitted. Residential streets adjacent to a school parcel shall have sidewalks on both sides of the streets to within 300 feet of the parcel.

All sidewalks shall be not less than four feet in width of portland cement concrete and shall comply with the specifications of the City Council. Walks shall also be installed in any pedestrian easements as may be required by the Planning and Zoning Commission. Installation of sidewalks may be delayed for one side of a block between two intersecting streets until 75% of the lots on that side of the block have been developed, or within one year of the approval of the final plat, whichever comes first.

- E. Storm Drainage: The subdivider shall install culverts, storm sewers, rip-rap slopes, stabilized ditches, storm water detention facilities and other improvements necessary to adequately handle stormwater. All improvements shall comply with the minimum standards of the City and shall be approved by the Director of Public Works prior to construction.

Where developments are determined by the Director of Public Works to be in close proximity to unimproved stream channels, an engineering study shall be required to determine the stability of the stream banks. The study shall evaluate the likelihood that

normal stream bank slippage failure and erosion will endanger structures proposed as a part of the development or the yards of residential lots. Such studies shall analyze the impact of full upstream development as shown on the City's Comprehensive Plan map and include a complete identification and analysis of the soil profile and underlying bedrock upon which the development is to take place. Based on this analysis, engineering plans shall be submitted showing the structural measures to be used to stabilize those banks which are determined to be unstable. The study shall be submitted concurrent with the application for final plat approval and shall be reviewed and approved by the Director of Public Works prior to recording the plat. Storm drainage easements may be required where necessary to allow on-going maintenance of the stream channel and any stabilization measures.

Detention basins or ponds, paved drainage ditches and other items determined by the Planning and Zoning Commission and City Council to be an unusual or excessive requirement for development of the property shall be installed at the developer's expense.

- F. Street Signs: The City shall install street signs at all intersections within a subdivision at the developer's expense.
- G. Permanent Monuments: Permanent monuments shall be placed at all lot and block corners, angle points, point of curve in streets, and at intermediate points as required prior to the final acceptance of the plat by the City. Said permanent monuments shall be one-half-inch minimum iron bars or pipe, 18 inches long, shall be set with top of monument flush with existing ground line, and shall include an identification cap on the bar.
- H. Street Lights: The City shall provide for the installation of street lights at street intersections and other locations as it determines necessary. The developer shall be responsible for all costs for providing street lighting equipment other than that determined as necessary by the City.
- I. Park Dedication: The subdivider shall dedicate land for public park land or pay a fee in lieu of dedication. There shall be one (1) acre of park land dedicated for every one thousand (1,000) persons expected to reside in the platted development, or person-equivalents for non-residential plats. In order to determine the expected population of a proposed development, the average household size of Joplin, as determined by the most recent figures for the City from the U.S. Census Bureau shall be used. The total amount for park/recreational area, however, shall not be less than one-half (1/2) acre in size.
 - (1) Single-Family Residential: In order to calculate the amount of park land needed, the number of single-family residential lots in the development shall be multiplied

by the average household size in Joplin. The resulting number shall then be divided by one thousand (1,000). The resulting number shall be the amount of acres required to be dedicated as park/recreational area.

- (2) Two-Family Residential: In order to calculate the amount of park land needed, the number of lots shall be multiplied by two. The resulting number shall then be multiplied by the average household size in Joplin in order to determine the estimated number persons that will reside within the development. The estimated number of persons to live within the development shall then be divided by one thousand (1,000). The resulting number is the amount of acres that are required to be dedicated as park/recreational area.
- (3) Multifamily Residential: In order to calculate the amount of park land needed, the total number of dwelling units in the multiple-family development shall be multiplied by the average household size in Joplin. The resulting number shall then be divided by one thousand (1,000). The resulting number is the amount of acres that are required to be dedicated as park/recreational area.
- (4) Commercial Retail, Services & Offices: \$0.03 per square foot of land area within the development.
- (5) Industrial: \$0.02 per square foot of land area within the development.

2. Exceptions for Existing Improvements:

- A. Where the proposed subdivision is a resubdivision or concerns an area presently having any or all required improvements as previously set out, and where such improvements meet the requirements of this Article and are in good condition as determined by the City Council upon its consideration of the opinion of the Director of Public Works, no further provision need be made by the subdivider to duplicate such improvements. However, where such existing improvements do not meet said requirements as determined by the City Council upon its consideration of the opinion of the Director of Public Works, the subdivider shall provide for the repair, correction, or replacement of such improvements so that all final improvements will then meet said requirements as determined by the City Council upon its consideration of the opinion of the Director of Public Works.
- B. Where the proposed subdivision is a resubdivision or concerns an area presently abutting or continuing any existing public street of less than the minimum required right-of-way width or roadway width, land shall be dedicated so as to provide a

minimum street right-of-way width established by these regulations and/or by the policy of the City Council; and the subdivider of such proposed subdivision shall provide an additional roadway pavement meeting the minimum standards set by these regulations and the City Council. The Director of Public Works shall determine what adjustment to make where the aforesaid widening merges with existing streets which are of smaller width at the boundary of such proposed subdivision. The City Council may reduce the minimum roadway system in the proposed subdivision if the extension of such roadway is already improved at each end of such roadway in the subdivision and the roadway in the proposed subdivision is two blocks or less in length.

SECTION 6

IMPROVEMENT PROCEDURES
AND SURETY

1. General: After the approval, but prior to the recording of the final plat, the subdivider may do the grading and any drainage work that is required, all according to plans approved by the Director of Public Works. In lieu of the actual construction of all physical improvements prior to the filing of the final plat, the Director of Public Works may, at the option of the developer, accept one or a combination of the following.
 - A. A bond or letter of credit in the amount that will guarantee the construction of the required improvements within a period of time to be specified and approved by the Director of Public Works. Such surety shall be properly executed prior to any grading or construction and shall be released in segments upon written approval of the City.
 - B. Upon approval by the City Council, a petition for improvement district financing properly executed by the property owners as provided by law. Said petition to be used for the construction of the improvements by the City, the apportionment of the costs of which to be assessed against the subdivided property.
2. Building Permits: Unless the required improvements have been installed or guaranteed by a bond or improvement district petition for a lot or tract, no building permits shall be issued for that lot or tract.
3. Occupancy Permits: No occupancy permit shall be issued until all improvements have been installed.
4. Plans and Specifications: Upon the approval of the preliminary plat, the subdivider shall have prepared by a licensed professional engineer, engineering drawings for proposed required improvements containing the data and information specified below:
 - A. Content of Engineering Drawings: Engineering drawings for required improvements shall contain the following data and information:
 - (1) Plans, profiles, details, specifications and cost estimates for roadway and sidewalk construction, including plans and profiles for each street with a typical cross section of the roadway. The profiles of grade lines shall be shown to a scale of no smaller than 1"=20' horizontal and 1"=5' vertical. This information shall be shown on standard plan and profile sheets unless otherwise required.

- (2) Plans, profiles, details, specifications and cost estimates of proposed storm drainage improvements.
 - (3) Plans, profiles, and details of proposed water distribution systems and proposed water supply facilities and the location and size of hydrants, if any.
 - (4) Plans, profiles, details, specifications and cost estimates of sewerage systems and of any required sewage treatment facilities.
 - (5) Grading plans for all lots and other sites in the subdivision.
 - (6) When unusual site conditions exist, the Director of Public Works may require such additional plans, specifications and drawings as may be necessary for an adequate review of the improvements to be installed.
 - (7) All plans shall be based on N.G.V.D. for vertical control.
- B. Review of Plans: The Director of Public Works shall review all engineering drawings in order to advise the Planning and Zoning Commission as to whether or not such drawings are consistent with the approved preliminary plat and comply with their design standards. The Director of Public Works shall forward to the Secretary of the Planning and Zoning Commission and the City Council a notice stating his/her opinion and, in the event that it is the engineer's opinion that the drawings do not so conform or comply, the Director of Public Works shall notify the Secretary of the Planning and Zoning Commission and the City Council of the specific manner in which such drawings do not so conform or comply. After consideration of the Director of Public Works's opinion, the Planning and Zoning Commission shall notify the subdivider as to whether or not the drawings are consistent with the approved preliminary plat and comply with their design standards and, if not, of the specific manner in which such drawings do not so conform or comply. The subdivider may then correct any defective drawings and resubmit the correct drawings.
- C. Approval by Planning and Zoning Commission: The Planning and Zoning Commission shall approve a final plat only after its determination that the plat conforms with the requirements of these regulations and after consideration of the Director of Public Works's opinion that the drawings are consistent with the approved preliminary plat and with the adopted City design standards.
5. Construction of Improvements: No improvements shall be constructed nor shall any work preliminary thereto be done until such time as a final plat has been approved by the Planning and Zoning Commission and the engineering drawings accompanying it shall have been approved by the Director of Public Works and there shall have been compliance with all of the requirements relating to an agreement, bond, or deposit specified in these regulations.

6. Inspection: All improvements constructed or erected shall be subject to inspection by the City or its designated representative responsible for setting and enforcing the applicable design and construction standards of the required improvement. The subdivider shall give at least 48 hours written notification to such official prior to the performance of any of the following work:
 - A. All phases of roadway and sidewalk construction.
 - B. All phases of construction including, but not limited to, water lines, sanitary sewer lines, storm sewer, underground wiring, and other required improvements.
7. Inspection Procedures: After notice is received in Sub-section 6.6, the official designated in said section shall conduct an on-site inspection to determine that the work complies with the approved engineering plans and specifications. After such inspection has been made, said official shall notify the Director of Public Works of his or her opinion thereof. If the Director of Public Works shall determine, after consideration of the opinion of the official, that such work does not comply with the approved engineering plans and specifications, the Director of Public Works shall so notify the subdivider and may require the subdivider to terminate all further work until necessary steps are taken to correct any defect, deficiency, or deviation to the satisfaction of the Director of Public Works. Upon the correction of such defect, deficiency, or deviation, the subdivider shall again notify the official as provided for in Sub-section 6.6.
8. Final Inspection: Upon completion of all improvements within the area covered by the final plat, the subdivider shall notify the Director of Public Works, who shall thereupon conduct a final inspection of all improvements installed. If the Director of Public Works shall determine that there are defects, deficiencies, or deviations in any such improvements as installed, or there are any deviations in such improvements as installed from the approved engineering plans and specifications, the Director of Public Works shall so notify the subdivider in writing, and the subdivider shall, at its sole expense, correct such defects, deficiencies or deviations. Once these have been corrected, the subdivider shall notify the official that the improvements are ready for final reinspection.
9. Acceptance of Improvements: Upon the determination by the Director of Public Works that there are no defects, deficiencies, or deviations in the improvements, and 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 Director of Public Works and/or such appropriate utility shall thereupon by letter, respectively, formally accept such improvements. The improvements shall become the property of the City of Joplin or appropriate utility company involved.

SECTION 7

RULE EXCEPTIONS

1. Variances: Whenever the Planning and Zoning Commission deems full conformance to provisions of these regulations is impractical or impossible due to the size, shape, topographic location or condition, or such usage of land included in a subdivision plat being presented for approval, the Planning and Zoning Commission may authorize variances of these regulations. In authorizing such variances or exceptions, the Planning and Zoning Commission shall find the following:
 - A. That there are special circumstances or conditions affecting the property;
 - B. That the variances or exceptions are necessary for the reasonable and acceptable development of the property in question; and
 - C. 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.
2. Waivers: Any waiver of the required improvements shall be only by the Planning and Zoning Commission on a showing that such improvements are technically not feasible.
3. Lot Splits: The intent of this Sub-section is to provide for the issuance of building permits on lots divided into not more than two tracts without having to replat said lot, provided that the resulting lots shall not again be divided without replatting. The Municipal Planner may approve or disapprove lot splits in accordance with the following regulations.
 - A. Application Procedure: Requests for lot split approval shall be made by the owner of the land to the Municipal Planner. Four copies of a scale drawing and legal description of the lots involved and the location of any structure(s) thereon together with the precise nature, location and dimensions of the proposed lot split shall accompany the application.
 - B. Approval Guidelines: Approval of lot splits shall be given based on a finding that none of the following conditions exist:
 - (1) A new street or alley is needed or proposed.
 - (2) A vacation of streets, alleys, setback lines, access control or easements is required or proposed.

- (3) 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.).
 - (4) 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.
 - (5) All easement requirements have not been satisfied.
 - (6) Such split will result in a tract without direct access to a street.
 - (7) A substandard-sized lot or parcel will be created.
 - (8) The lot has been previously split in accordance with these regulations.
- C. The Municipal Planner may make such additional recommendations as deemed necessary to carry out the intent and purpose of existing land development regulations and City Council policy. Requirements may include, but not be limited to, installation of public facilities, dedication of rights-of-way and easements, and submission of covenants for the protection of other landowners in the original subdivision.
- D. The Municipal Planner shall, in writing, either approve, with or without conditions, or disapprove, the lot split within five working days of application.

SECTION 8

ADMINISTRATION
AND APPEALS

1. Permits: No building permit shall be issued for any structure that is located upon a lot in a subdivision filed after the date of the adoption of these rules that has not been subdivided in accordance with these Subdivision Regulations and is not exempted by the provisions of Sub-section 1.4. Approval of a Final Plat shall confer upon the developer, for a period of one year from the date of approval, a right that all existing zoning and subdivision standards shall remain unchanged as they apply to the property included in the Final Plat.
2. Recording of Plats: No subdivision or plat shall be recorded in the office of the Recorder of Deeds of the county of jurisdiction unless and until approval of the City Council of the Final Plat and the construction plan is endorsed thereon. No lot within the subdivision may be sold until the Final Plat and construction plan have been approved by the City Council and the plat has been officially recorded by the County Recorder of Deeds. The City Clerk shall file the final plat with the office of the Recorder of Deeds within thirty (30) days of the date of approval of the Final Plat by the City Council.
3. Consideration of Subdivision Regulation Amendments: Before adopting or amending any subdivision regulations, the Planning and Zoning Commission shall call and hold a hearing on such regulations or amendments thereto and shall act as provided for amending the zoning regulations. The City Council shall act on the recommendations of the Planning and Zoning Commission by the same procedure as for zoning amendments, except that a public hearing shall be held by the City Council.
5. Appeals: Any decision of the Planning and Zoning Commission on matters contained herein may be appealed to the City Council of the City of Joplin and said Council may reverse or affirm such decision.

SECTION 9

FILING FEES

1. Subdivision Plats: There shall be paid by all persons or corporations submitting preliminary plats for approval by the City a filing fee of Fifty dollars (\$50.00) plus Five dollars (\$5.00) per lot, not to exceed one hundred fifty dollars (\$150.00) per plat. This fee shall be paid at the time that the preliminary plat is submitted to the Planning and Zoning Commission and shall apply to approval of the preliminary plat and final plat, provided that the final plat, includes the same area to be subdivided as the preliminary plat.

2. Lot Splits: The filing fee for lot splits shall be Fifty dollars (\$50.00).

SECTION 10

**PENALTY FOR
VIOLATIONS; ACTIONS**

No owner, or agent of the owner, of any land located within the City of Joplin, knowingly or with intent to defraud may transfer, sell, agree to sell, or negotiate to sell that land by reference to or by other use of a plat of any purported subdivision of the land before the plat has been approved by the Council and Planning and Zoning Commission and recorded in the office of the appropriate county Recorder of Deeds. Any persons violating the provisions of this ordinance shall forfeit and pay to the municipality a penalty not to exceed three hundred dollars for each lot transferred or sold or agreed or negotiated to be sold; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from this penalty. The City of Joplin may enjoin or vacate the transfer or sale or agreement by legal action, and may recover the penalty in such action.

Any person otherwise violating the provisions of this act is guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars nor more than five hundred dollars, or by confinement in the county jail for not more than one year, or by both such fine and confinement.

SECTION 11

EFFECTIVE DATE

This ordinance shall take effect upon its final passage by the City Council. The provisions and requirements contained herein shall apply to all subdivisions for which a preliminary plat has not been approved by the Planning and Zoning Commission prior to the effective date of this ordinance.

PASSED BY THE CITY COUNCIL of the City of Joplin this _____ day of _____,
19_____.