

CHAPTER 50. SUBDIVISION OF LAND

Article I. Subdivision Procedure

Section 50.010. Short Title.

This Chapter shall be known and may be cited as “**The Subdivision Regulations of the City of Webster Groves.**”

Section 50.011. Purpose.

The purpose of this Chapter is to control the subdivision of land within the City in order to promote the public health, safety and general welfare by regulating the subdivision and re-subdivision of land in order to lessen congestion in the streets and highways; to further the orderly development and appropriate use of land; to establish accurate records of land subdivisions; to protect land title; to implement the Master Plan; to secure safety from fire and other dangers; to facilitate adequate and coordinated provisions for transportation, water, infrastructure, schools, parks, playgrounds and other public requirements; to permit the division of larger tracts into smaller parcels of land; to preserve natural features such as strands of trees, streams, significant rock formations, historical landmarks and historic districts; and, in general, to protect public and private property from erosion and other adverse effects of development; and to facilitate the orderly, coordinated, efficient and appropriate development of the City.

Section 50.012. Definitions.

As used in this Chapter, the following definitions apply:

“**Additional Definitions**” shall mean where not inconsistent with the language or intent herein, the additional definitions set forth in the Zoning Code are incorporated herein and shall apply.

“**Alley**” shall mean a secondary means of ingress or egress serving more than one (1) tract of land and used primarily for vehicular service, and which may be used for public utility purposes.

“**Block**” shall mean an area of land surrounded by public highways, streets, streams, railroad rights-of-way, parks, rural land, drainage channels or other similar areas or facilities.

“**Boundary Adjustment**” shall mean a sale or exchange of parcels of land to or between adjoining property owners where such sale or exchange does not create additional lots, and each resulting lot meets all of the zoning restrictions and regulations applicable to the zoning district in which each lot is located.

“**Building Line Setback**” shall mean a line or lines on a plat designating the area outside of which buildings may not be erected, except landings, open balconies, roof overhangs, and accessory buildings as permitted in the Zoning Regulations, set out in Chapter 53 of the Code of Webster Groves.

“City” shall mean the City of Webster Groves, Missouri, a constitutional charter city duly formed under the constitution and statutes of the State of Missouri.

“Code” shall mean the comprehensive codification of all the ordinances of the City, commonly known as the Code of Webster Groves, as amended from time to time.

“Common Land” shall mean that land set aside for open space or retention lakes (excluding storm water improvements, i.e. detention facilities) or recreational use for the owners of lots in a subdivision, which land is conveyed in trust for the benefit, use and enjoyment of the lot owners.

“Condominium” shall mean a form of property ownership under the Condominium Property Act, Chapter 448, Missouri Revised Statutes.

“Consolidated Plat” shall mean a plat where the pre-existing number of parcels or recorded lots is reduced.

“Detention” shall mean the temporary storage of the differential runoff of storm water by providing permanent facilities, such as dry reservoirs, ponds or other acceptable alternatives.

“Developer” shall mean that person, firm or corporation by whom a tract will be subdivided and improved pursuant to the requirements of this Chapter and that is the owner or an authorized agent of the owner of the property.

“Director” shall mean the Director of Planning and Development of the City.

“Engineer” shall mean a professional engineer registered in the State of Missouri.

“FEMA” shall mean Federal Emergency Management Agency.

“Floodplain” shall mean that area within the City subject to a one percent (1%), or greater, chance of flooding in any given year. This area is designated on the FEMA Flood Boundary and Floodway Maps.

“Frontage” shall mean that edge of a lot bordering a street.

“Highway” is the same as the definition of **“Street”** herein.

“Historic District” shall mean an area designated as a “historic district” by ordinance of the City Council that may include individual landmarks, as well as other properties or structures which, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics and historical significance of the historic district.

“Historic Landmark” shall mean a lot, parcel or tract of land with buildings, structures or land improvements so designated by ordinance of the City Council due to its special historical, architectural, or aesthetic interest or value in illustrating or interpreting the heritage of the City.

“Improvements” shall mean the street pavement, turning lanes, traffic signals, bridges and culverts, sidewalk pavement, pedestrian-way pavement, water mains, fire hydrants, storm sewers and roadside drainage ditches, erosion, siltation control, sanitary sewers, signs, monuments, landscaping, street lights and other similar items.

“Land Surveyor” shall mean a land surveyor registered in the State of Missouri.

“Lot” shall mean a parcel of land created under the provision of this Chapter that complies with the area and frontage requirements of the Zoning code.

“Lot, Corner” shall mean a lot abutting upon two (2) or more streets at their intersection.

“Lot of Record” shall mean a lot which has been duly recorded in the Office of the Saint Louis County Recorder of Deeds in compliance with state statutes and City ordinances.

“Lot Split” shall mean the division of a single lot of record into two lots wherein each resulting lot meets all of the zoning restrictions and regulations applicable to the zoning district in which the lot is located and that does not require a Certificate of Appropriateness under the Historic Preservation regulations contained in Chapter 52 of the Code.

“Master Plan” shall mean the plan or any portion thereof for the coordinated development of the City and adopted by the Plan Commission.

“Metes and Bounds” shall mean the method used to describe a tract of urban land intended to be used for dwelling or other purposes so that it can be recorded in the St. Louis County Recorder’s Office, as contrasted with the description of a part of a properly approved and recorded subdivision plat by lot and block number.

“Monument” shall mean a permanent marker to be made of materials and placed by a land surveyor at locations specified in Section 50.050.2 of this Chapter.

“Parcel” shall mean any amount of land, whether or not of sufficient size to be built upon.

“Pedestrian Way” shall mean an easement or right-of-way designated to facilitate pedestrian access to adjacent streets and properties.

“Right-of-Way” shall mean a strip of land reserved or acquired by dedication, prescription, condemnation, gift, purchase, eminent domain or any other legal means occupied or intended to be occupied by a street, sidewalk, railroad, utility, sewer, or other similar use.

“Road or Roadway” See **“Street”**.

“Setback” See **“Building Line Setback”**.

“Siltation Control” shall mean the installation of such devices as sediment ponds, bales of straw, fencing, siltation webbing, sodding, seeding and mulching, or other devices to prevent silting of abutting and adjacent properties and roadways during the period of construction and up to and including such time as permanent ground cover is attained.

“Slope” shall mean the rate of deviation of the ground surface from the horizontal as expressed in percentages.

“Street” shall mean a general term denoting a public or private way which affords the principal means of vehicular access of abutting property. The term includes all facilities which normally occur within the right-of-way; it shall also include such other designations as highway, thoroughfare, parkway, throughway, road, pike, avenue, boulevard, lane, place, court, but shall not include an alley or a pedestrian way.

“Street, Private” shall mean a private way that has not been dedicated to the public or accepted by the City as a public street and that affords the principal means of vehicular access to abutting property.

“Subdivision” shall mean a subdivision of land is any: (1) division of land except those that qualify as boundary adjustments or lot splits, as defined herein, and includes any subdivision into two or more lots, sites or parcels of three acres or less in area; (2) establishment of dedication of a road, highway, street, or alley through a tract of land regardless of area; and (3) re-subdivisions of land heretofore divided or platted into lots, sites, or parcels except those that qualify as boundary adjustments or lot splits, as defined herein.

Any sale or contract of sale or agreement to purchase any portion of any lot or division of land either by lot description or by metes and bounds as defined in the proceeding portion of this section shall constitute a subdivision of land and require, prior to any delivery of a deed, the submission of a plat in conformance with the regulations contained in this Chapter.

“Tract” shall mean one or more parcels or lots that the developer intends to subdivide and improve, or to cause to be subdivided and improved, pursuant to the requirements of this Chapter.

“Zoning Code” Chapter 53 of the Code, as from time to time amended, which controls and regulates zoning for the City.

Section 50.013. Approvals – General.

The process of approval of the division or consolidation of land within the City depends upon the nature of the division, and is, thus, segregated into three categories of division: (1) boundary adjustments (and consolidations), which are approved administratively by the Department; (2) lot splits, which are approved by the Department and City Council; and (3) subdivisions, which are approved by the Department, the Plan Commission and the City Council.

Every boundary adjustment, consolidation, lot split, subdivision or re-subdivision of land within the City shall be shown upon a plat and submitted to the Department for its approval or disapproval.

No plat shall be recorded in the Office of the Recorder of Deeds unless and until approved as provided for in this Chapter; and no lot shall be sold unless first established by provisions of this Chapter. No demolition, building, grading, land disturbance or other

development permit shall be issued for any subdivision, parcel or lot in violation of any standard or requirement of this Chapter.

Section 50.014. Approval of Boundary Adjustment Plats and Consolidation Plats.

Boundary adjustment plats and consolidation plats shall be approved by the Department through an application process to be set by Department policy, as approved from time to time by the City Council; provided, however, that if the Director determines that a Certificate of Appropriateness is required pursuant to Chapter 52, the owners of the lots seeking a boundary adjustment must first obtain the Certificate of Appropriateness before the Director may approve the Boundary Adjustment.

Section 50.015. Approval of Lot-splits.

The owner of a lot of record that meets all of the zoning restrictions and regulations applicable to the zoning district in which the lot is located and that does not require a Certificate of Appropriateness under the Historic Preservation regulations contained in Chapter 52 of the Code, may apply to the Director for approval of the lot split.

The Director shall investigate the situation, and if the Director determines that a Certificate of Appropriateness is required pursuant to Chapter 52, the owners of the lot seeking a lot split must first obtain the Certificate of Appropriateness before the Director may forward the request to the City Council. If the Director determines the request for the lot split does comply with the applicable regulations in this Chapter, Chapter 52 and Chapter 53 of the Code, then the Director shall forward the findings to the City Council, which may by motion grant the application. The City Council may only deny the application if it finds that the application does not comply with the applicable regulations of this Chapter, Chapter 52 and Chapter 53 of the Code.

Section 50.020. Approval of Subdivision Plats.

Before an application for a subdivision plat may be approved it must first be submitted as a preliminary plat that must be approved by the Department and submitted to the Plan Commission for review and, thereafter, submitted as a final plat for approval by the Department and the City Council. An applicant may also submit a sketch plan before filing a preliminary plat. If the Plan Commission disapproves the preliminary plat it shall transmit its reasons therefor to the City Council and the Council may then approve the plat only by a five-sevenths (5/7) vote of its membership.

1. **Sketch Plan.** In seeking to subdivide any tract or parcel of land, except a boundary adjustment or lot split, within the corporate limits of the City, the developer may:
 - a. Prior to submitting a preliminary plat for the subdivision of land within the City, the developer may submit to the Department a sketch plan for the tract which should include the following information, all of which may be based on sources of information other than field survey data:
 1. The location of the tract in relation to the surrounding area.

2. The approximate location of all existing structures within the tract proposed to be retained and wooded areas within the tract and within one hundred (100) feet thereof.
 3. The names of the owners of all property adjoining the tract as disclosed by the most recent Assessor's record.
 4. All existing streets, roads, and approximate location of wet and dry weather watercourses, floodplain areas, sink holes and other significant physical features within the tract and within two hundred (200) feet thereof.
 5. Approximate location of proposed streets, alleys, lots, building lines, easements, property lines and area of lots in square feet.
 6. A rough sketch of the proposed site plan, including the most recently available aerial photograph at the appropriate scale for analysis purposes. This photograph shall not be older than two (2) years from the plan submittal.
 7. A north arrow and scale and date.
 8. Direction of and approximate distance to nearest existing major street intersection.
 9. Approximate location of any historic district and historic landmark within the boundaries of the tract and within two hundred (200) feet thereof.
 10. A table indicating the proposed size, average lot width, and lot width at the front building line for each proposed lot.
- b. The Department shall review and evaluate the sketch plan as soon as practicable and shall report to the developer its opinion as to the merits and feasibility of the improvements contemplated by the sketch plan.
 - c. Any information listed in subsection (a) of this section that is not included as part of a sketch plan submittal shall be submitted on or with the preliminary plat.
2. **Preliminary Plat.** The developer shall prepare and submit to the Department such number of copies of a preliminary plat of the tract, together with such fees, as the Department shall, from time to time, determine are necessary and as approved, from time to time, by motion of the City Council.
 - a. Such Preliminary Plat shall be submitted after receipt of the Department's report on the sketch plan, if a sketch plan was submitted.
 - b. The preliminary plat shall be any scale from one (1) inch equals twenty (20) feet through one (1) inch equals two hundred (200) feet, so long as

the scale is an increment of ten (10) feet. The Preliminary Plat shall contain the following information:

1. Any information listed in Section 50.020(1) Sketch Plan above, if not submitted in conjunction with a sketch plan.
2. The location of the present property lines, section, Congressional Township Lines, U.S. Survey and lines of incorporated areas, streets, buildings, water courses, sink holes, tree masses and other similar and existing features within the area to be subdivided and similar facts regarding existing conditions on property immediately adjacent thereto.
3. A key map and the most recently available aerial photograph at an appropriate scale for analysis purposes showing the tract and its relation to the surrounding area. This photograph shall not be older than two (2) years from the plan submittal.
4. A north arrow and graphic scale.
5. The name proposed for the tract or such part thereof as is proposed to be subdivided, which shall be original and not a duplication of the name of any previously recorded subdivision or development in the City. The developer shall include a certification from the Recorder of Deeds Office of St. Louis County to this effect.
6. The date of plan submission to the Department and the following names and addresses:
 - A. The record owner or owners of the tract;
 - B. The party who prepared the plat;
 - C. The party for whom the plat was prepared; and
 - D. The engineer and land surveyor who will design improvements for and survey the tract or such part thereof as is proposed to be subdivided.
7. The approximate area of the tract stated in square feet and tenths (0.1) of an acre.
8. Sufficient existing and proposed contour data to indicate the slope and drainage of the tract and the high and low points thereof, showing intervals of five (5) or less feet for all subdivisions containing two (2) or more acres of land. Contour data shall extend five hundred (500) feet beyond the limits of the subdivision boundaries. U.S.G.S. data is required. Included with this information, the appropriate U.S.G.S. Quadrangle Map highlighting the site's location shall be submitted.

9. The location of existing and proposed property lines, watercourses, sink holes, areas within the tract subject to inundation by storm water, railroads, bridges, culverts, storm sewers, sanitary sewers, easements of record, existing buildings including use or other identified improvements that are to remain, and significant natural features such as wooded areas and rock formations.
 10. The location of existing and proposed streets including additional right-of-way along existing streets as may be required in Chapter 10 of the Code.
 11. The zoning designation.
 12. Any proposed alteration, adjustment or change in the elevation or topography of any area in a floodplain zoning district or shown on the Federal Emergency Management Agency's (FEMA) Flood Boundary and Floodway Maps.
 13. Approximate area in square feet of minimum and maximum size of lots, if less than one (1) acre in area, and in acres and tenths of acres if one (1) acre or more in area, into which the tract is proposed to be subdivided.
 14. Indicate approximate location of existing and proposed sidewalks and pedestrian walkways.
 15. Indicate proposed building lines and setback requirements.
 16. Proposed type of treatment or method of sewage disposal to include name of trunk line, lateral or qualified sewage treatment system, where applicable.
 17. The location and size of the nearest water main and sewer or outlet shall be indicated in a general way upon the plat.
 18. The names and adjoining boundaries of all adjoining subdivisions and the names of the record owners of adjoining parcels of unsubdivided land.
- c. The preliminary plan should determine the character and general details of the development and should be accompanied by plans and statements, regarding the details of improvements such as grading, paving, sewers and water mains. The approval of the preliminary plan by the Department and Plan Commission does not constitute an acceptance of the subdivision, but merely authorizes the developer to develop the final plan for submission to the City Council.
3. **Special Procedure Development.** If the developer intends to subdivide any portion of the parcel into a multiple-dwelling unit subdivision or a subdivision being developed under the Planned Commercial district regulations or Planned

Environmental Unit (PEU) regulations of Chapter 53, the Zoning Code, then the preliminary plat shall, in addition, include the following data:

- a. Gross area of tract.
 - b. Area in street.
 - c. Net area of tract.
 - d. Maximum number of units allowed and total site coverage of units.
 - e. Maximum number of units proposed.
 - f. Parking ratio, including total spaces provided.
 - g. Distance between structures.
 - h. Height of all proposed structures.
4. **Certification.** A certificate by a Land Surveyor or Engineer who prepared the plat that the plat is a correct representation of all existing and proposed land divisions.
 5. **Fire Department and Utility Comments.** The Department shall transmit a copy of the preliminary plat to the City's Fire Department for its review and comments. In addition, the applicant must obtain all applicable utility comments before preliminary plat approval.
 6. **Flood Plain Study.** The applicant shall provide a flood plain study in accord with Chapter 20 of the Code where development of a parcel, excluding any structures, is within a flood plain.
 7. **Historic Preservation Review.** The Department shall determine whether a Certificate of Appropriateness under Chapter 52 of the Code is necessary prior to preliminary plat approval. If a Certificate of Appropriateness is required, then the applicant shall secure such a certificate before the Plan Commission may approve a preliminary plat.
 8. **Public Works Review.** The Department shall transmit a copy of the preliminary plat to the City's Department of Public Works for its review and comments.
 9. **Department Review.** The Department shall review the preliminary plat with regard to requirements described in this Chapter as soon as practicable, and:
 - a. If the plat is satisfactory, the Director or an authorized representative shall thereupon affix a notation of approval, date of approval, and signature on the plat, denoting satisfactory compliance with the requirements of this Chapter, and the plat shall be forwarded to the Plan Commission for its review and action.
 - b. If the preliminary plat is unsatisfactory, the Department shall give notice to the submitting party in writing, setting forth the conditions causing the

disapproval, and the unsatisfactory conditions shall be remedied before further consideration by the Department or the Plan Commission.

- c. Whenever a preliminary plat includes a proposed establishment of common land, and the Department finds that such land is not suitable for common land due to terrain, benefit to a small portion of the lot owners, difficulty of maintenance, or any similar reason, the Department may either refuse to approve such an establishment, or it may require the rearrangement of the lots in the proposed subdivision to include such land.
- d. The approval by the Plan Commission of the preliminary plat shall be valid for a period of one (1) year from the date of approval or such longer period as the Plan Commission may determine to be advisable if such longer period is necessary to facilitate adequate and coordinated provisions for transportation, water, sewerage, schools, parks, playgrounds or other public requirements. If a record plat of a subdivision has not been recorded within the (1) year period, or such longer period as the Plan Commission shall permit, a resubmission and review thereof, in accordance with all provisions of this Chapter, may be required, or the Plan Commission may, for good cause shown, extend the period for an additional period of time not to exceed six (6) months.

Section 50.030. Minimum Design Standards.

All subdivision plats shall conform to the following minimum standards. All engineering work required herein shall be performed by a registered professional engineer.

1. **Relation to Adjoining Street System.** The subdivider may be required to continue certain adjoining streets through the area being subdivided when necessary to provide for local vehicular movement or to enable adjoining property to be properly subdivided.
2. **Street and Alley Widths.**
 - a. The width of major streets shall conform to the width designated on the major street plan as adopted by the City and any subsequent amendments thereto.
 - b. The minimum width of rights-of-way for two family or multiple dwelling developments shall be sixty (60) feet.
 - c. The minimum width of rights-of-way for single family developments shall be fifty (50) feet.
 - d. Whenever any subdivision or re-subdivision provides lots in the interior of existing blocks, such lots shall front upon, or have proper access to, a permanently dedicated street that connects with one of the streets bounding the block. All such dead ended streets shall make adequate provision for the turning of vehicles in the interior portions of the block.

Such turning area shall be a circular drive having an overall diameter of not less than one hundred (100) feet to the street lines.

- e. Whenever there exists a dedicated or platted portion of a street adjacent to the tract to be subdivided, the other portion of the street shall be platted or dedicated to provide a minimum right-of-way of fifty (50) feet and twenty (20) feet for alleys.
- f. Alleys and off-street parking space will be required adjacent to all business lots and alleys shall be at least twenty (20) feet wide. A ten (10) foot cut-off shall be made at all acute and right angle alley intersections. Off-street parking space shall be provided in all new business districts to conform to applicable provisions of the Zoning Ordinance.
- g. Whenever the tract to be subdivided adjoins an existing public street which does not meet the standard specifications of the City for public streets as shown in the Master Plan the developers may be required to alter and repair the existing street in accordance with the said specifications.
- h. All street intersections shall be rounded to a minimum radius of fifteen (15) feet.

3. **Blocks and Lots.**

- a. No block shall be longer than fifteen hundred (1,500) feet between street lines.
- b. Where blocks are over seven hundred fifty (750) feet in length, the Commission may require a crosswalk near the center of the block. The right-of-way for any such walks shall not be less than ten (10) feet in width that said right-of-way shall be dedicated to the public for walkway purposes. No part of said right-of-way shall constitute a portion of a platted lot. Such walk space, if required, shall be improved by the subdivider with a four (4) foot wide concrete walk.
- c. Whenever a new subdivision is located at a considerable distance from property already platted, the width of blocks, except for special reasons, shall not be less than two hundred fifty (250) nor more than four hundred (400) feet.
- d. All side lines of lots shall be at right angles to straight street lines, or radial to curved street lines, unless a variation to this rule will give a better street and lot plan. Lots with double frontage shall be avoided.
- e. The minimum width of lots shall be in conformity with the requirements of the zoning regulations of the City.
- f. Corner lots shall have extra width to permit the maintenance of building lines on both front and side streets, as may be required by the zoning ordinance.

- g. The minimum area of all lots shall conform to the area regulations of the zoning district in which the subdivision is located.
 - h. All lots shall front on a dedicated public or private street, except for the lots approved as part of a Planned Environmental Unit or a Final Development Plan for a Multiple-Family Residential Development.
4. **Easements.** Easements of not less than five (5) feet in width shall be provided on each side of all rear lot lines and side lines where necessary for poles, wires, conduits, storm and sanitary sewers, gas, water and drainage ditches. Easements of greater width may be required along lines or across lots where necessary for the extension of main sewers and similar utilities.
 5. **Streams and Surface Water Courses.** Detailed plans shall be submitted, showing the location of all streams and surface water courses affecting the proposed subdivision, together with such improvements of such streams and surface water courses, which may be necessary, such as widening, straightening, surfacing or other improvements of such channels.
 6. **Sewers.** The subdivider shall install storm water and sanitary sewers and provide a sanitary sewer connection for each lot in accordance with the standards and specifications of the St. Louis Metropolitan Sewer District, and before the improvements are begun the plan therefor shall be approved by the Metropolitan St. Louis Sewer District. Evidence shall be submitted to the City that the Metropolitan St. Louis Sewer District has approved the plans for the storm water and sanitary sewer facilities. Whenever feasible, sanitary sewer facilities including house connections to each lot from the sewer to beyond the curb line shall be constructed prior to the installation of street improvements.
 7. **Water Mains and Fire Hydrants.** The subdivider shall install water mains and fire hydrants in the subdivided areas. Such installations shall be in accordance with the standards and specifications.
 8. **Street Names.** Streets that are obviously in alignment with others already existing and named shall bear the names of the existing streets. Before the final plat for the subdivision shall be approved, the subdivided shall submit a statement from the St. Louis postmaster approving the names of the proposed streets.

Section 50.040. Final Plat.

The type and number of copies to be submitted of a final subdivision plat shall be as determined by the Director from time to time, together with such fees as may be approved in a schedule adopted from time to time by the City Council upon recommendation from the Director.

Copies of deed restrictions and certified plans showing the improvements that have been constructed within the subdivision, or bond assuring construction of said improvements in accordance with plans previously approved, shall be submitted to the Plan Commission.

The final plat is to be drawn at a scale of one hundred (100) feet or less to the inch from an accurate survey and on one or more sheets whose maximum dimensions are twenty-nine (29) inches by thirty-four (34) inches. In certain unusual instances where the subdivided area is of unusual size or shape, the City Council may permit a variation in the scale or size of the final plat.

The final plat shall show the following:

1. **Boundaries.** The boundaries of the property; the lines and extent of all proposed streets and alleys with their width and names and any other areas intended to be dedicated to public use.
2. **Adjoining Streets.** The lines of adjoining streets and alleys, with their width and names.
3. **Lot Lines and Easements.** All lot lines and easements with figures showing their dimensions.
4. **Dimensions.** All dimensions, both linear and angular, necessary for locating boundaries of the subdivided area, including lots, streets, alleys, easements and building line setbacks, and any other similar public or private areas. The linear dimensions shall be expressed in feet and decimals of a foot.
5. **Curves.** Radii, arcs, points of tangency, central angles for all curvilinear streets, and radii for all rounded corners.
6. **All Survey Monuments.**
7. **Additional Information Required.** Title and description of property subdivided, showing its location and extent, point of compass, scale of plan, and name of subdivider and certificate of Registered Land Surveyor that the plan represents a survey made by him and that the results of said survey are correctly showing thereof.
8. **Private Restrictions.** Any private restrictions shall be shown on the plat or reference made to them thereon, and plats shall contain proper acknowledgments of owners and holders of mortgages accepting said platting and restrictions.
9. **Certifications.** A certificate shall accompany the final plat showing that all taxes due shall have been previously paid and a certificate of title or photocopy thereof shall be submitted for inspection.

Section 50.050. Improvements.

1. **Streets.** Before the City Council will officially accept any street in a subdivision and become responsible for its maintenance, supervision and repair, such street shall be improved to the following standards and the Council shall have received a certificate from the City Engineer that the improvements conform to the following standards:

- a. All streets shown on the plat shall be for the full width of the right-of-way to grades approved by the City Engineer, and such streets shall be paved to a minimum width of twenty-six (26) feet back-to-back of curbs, with a concrete pavement eight (8) inches thick with integral concrete curb over a six (6) inch thick base of compacted one (1) inch clean crushed limestone, and for collector and local (residential) streets of seven (7) inches thick with integral concrete curb over a six (6) inch thick base of compacted one (1) inch clean crushed limestone or, if approved by the City Engineer, a bituminous pavement with concrete curb and gutter for arterial streets of a two (2) inch thick course of Type "C" asphaltic concrete over a six (6) inch thick course of Type "X" asphaltic concrete over a six (6) inch thick base of compacted Type 3 aggregate, over a compacted subgrade and for collector and local (residential) streets bituminous pavement with concrete curb and gutter for a two (2) inch thick course of Type "C" asphaltic concrete over a four (4) inch thick course of Type "X" asphaltic concrete over a six (6) inch thick base of compacted Type 3 aggregate over a compacted subgrade.
2. **Monuments.** Monuments shall be placed at angle points, points of curves in streets, and at such points as shall be required by the City Engineer, or at related points approved by the City Engineer. Such monuments shall be either stone, or concrete not less than four (4) inches square at the top and six (6) inches square at the bottom and thirty (30) inches long. For all new lots, property corners shall be placed at all angle points and at such points as shall be required by the City Engineer. Such property markers shall be standard metal survey stakes with cap bearing the surveyor's name and license number and the cap shall be set flush with the surrounding finish grade.
3. **Water Mains and Hydrants.** Water mains and fire hydrants shall also be installed in conformity with the standards of the City's licensed or franchised water supplier and in accordance with the local practice of such installations.
4. **Sidewalks.** Sidewalks may be required by the City Council or the City Engineer. Such walks shall be of concrete with a minimum width of four (4) feet and a minimum thickness of four (4) inches over two (2) inches of compacted crushed limestone, except across driveways and driveway approaches, which shall have a minimum thickness of six (6) inches of concrete. Where sidewalks are to be constructed in a single-family residential neighborhood, a minimum two (2) foot wide tree lawn (between sidewalk and street curb) shall be provided. All sidewalks constructed at street intersections shall be provided with disabled access ramps for pedestrian street crossing in accordance with the requirements of the Americans with Disabilities Act.
5. **Bond or Escrow for Improvements.** Before the final plat of any subdivided area shall be approved and recorded, the subdivider shall make and install the improvements described in this section. In lieu of final completion of the minimum improvements before the plat is finally approved, the subdivider may post a bond or escrow agreement, approved by the City Attorney and director of finance with the City which bond or escrow agreement will insure to the City that the improvements will be completed by the subdivider within two (2) years after the final approval of the plat. The amount of the bond shall not be less than the

estimated cost of the improvements and the City Manager or his assistants must approve the amount of the estimate. If the improvements are not completed within the specified time, the council may use the bond or any necessary portion thereof to complete the same.

6. **City Engineer Approval.** The design of all improvements, such as the grade and type of pavement, water mains, etc. shall be submitted to the City Engineer before any construction shall proceed. The City Engineer may approve, deny or request modification of the submittal. The developer's engineer shall prepare such plans and all work shall be carried out under the supervision of the City Engineer or other city official designated by the City Engineer. The developer's engineer shall maintain a competent inspector on the job when paving and sewer work is being done.

Section 50.055. Filing of Certain Names and Addresses Required.

All trustees, directors and other officers of subdivisions within the City shall, annually, on or before the 15th day of June of each year, submit to the City Manager, the subdivision indentures or agreements of such subdivisions, with all amendments thereto and names and addresses of all such trustees, officers, or directors, specifying the name of the director or officer to whom communications from the City should be referred.

In the event any such subdivision by and through such trustees, officers and directors, shall fail to file such indentures, or amendments thereto, and such listing and designation, the City shall, for all purposes, be entitled to presume that the last, or original indenture and the officers, directors or trustees last known, or listed by or with the City, shall be presumed conclusively to remain and continue to be in effect, in office, and shall be liable as such.

Section 50.057. Condominium Plats.

1. **Review Procedure.** Except as provided in subsection (2) below, the procedures for review of condominium plats shall be as follows:

Any condominium plat required by Chapter 448 of the Revised Statutes of Missouri, as amended, shall be submitted by the developer of the property affected to the Plan Commission for review and approval. Upon approval by the plan commission, the recommendation of the plan commission and said plats shall be forwarded to the City Council for review and approval by the adoption of an appropriate ordinance. The condominium plat shall be processed under Section 50.020 of the Code and fees paid in accordance therewith.

Approval by the Plan Commission and City Council of the condominium plat shall be conditioned upon compliance with Chapter 448 R.S.Mo., including but not limited to Section 448.040 thereof with reference to required contents of a condominium plat.

In addition, condominium plats shall comply with all provisions of this Chapter not contrary to or inconsistent with the provisions of Chapter 448 R.S.Mo., Chapter 53 of the Code (Zoning) and Chapter 20 of the Code (Building).

2. **Approval Procedure.** In all instances where a condominium development plan has been approved by the City Council under the provisions of the Zoning Code, Section 7-A, Planned Multiple-Family Residence District, Section 7-B, Multiple-Family and Commercial District, or Section 7-C, Planned Environmental Unit, the subsequent condominium plat will not require Plan Commission review or City Council approval. Upon review and approval of the condominium plat by the director of public works, the City Clerk may certify approval of the plat by authority of the ordinance approving the development plan. If the director of public works determines that the condominium plat as submitted is not substantially in compliance with the approved development plan, the condominium plat must be reviewed and approved in accordance with the procedures of subsection (1), above.
3. **Recording.** A copy of all condominium plats and declarations filed with the St. Louis County Recorder of Deeds applicable to condominiums within the City must be filed with the City Clerk.

Section 50.060. Variations and Exceptions.

Whenever the strict enforcement of these regulations would entail unusual, real and substantial difficulties or hardships, the Plan Commission and the City Council may vary or modify them in such a way that the subdivider is allowed to plan and develop his property, record a plat of same and make necessary improvements without unjust difficulties and expense, if at the same time the public welfare and interests of the municipality are fully protected and the general intent and spirit of the regulations preserved.

Section 50.065. Appeals.

Any person aggrieved – by any order, requirement, decision or determination of the Director with respect to the lot split regulations contained in Section 50.015 et seq. or by any order, requirement, decision or determination of the City Engineer regarding the regulations contained in this Chapter – may appeal to the Board of Adjustment as provided in Section 53.304 of the Code.

Section 50.070. Enforcement; Penalties for Violation.

1. No lot split or any subdivision shall be entitled to be recorded in the county recorder's office or have any validity until it shall have been approved in the manner prescribed herein, and by ordinance of the City Council.
2. No building or repair permits shall be issued for any structure located on a lot in any subdivision the plat of which has been prepared after the date of the adoption of this article but which has not been approved in accordance with the provisions contained herein.
3. The City Council shall not permit any public improvements over which it has any control to be made or any money expended for improvements in any area that has been subdivided or upon any street that has been platted after the date of the adoption of this article unless such subdivision or street has been approved in accordance with the provisions contained herein.

4. Any person who sells or attempts to sell a lot by metes and bounds in violation of this article shall be guilty of a municipal violation and shall be fined not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) for each and every sale or attempted sale.
5. Any person, firm or corporation who violates or fails to comply with, or who permits or causes any person in his or her or its employ to violate or fail to comply with any provision of this article shall upon conviction thereof be subject to a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) for each and every offense.

Section 50.080. Amendment of Regulations.

Any provisions of this Chapter may be changed and amended from time to time by the Council; provided, however, that such changes or amendments shall not become effective until after study and report by the Plan Commission.