

Chapter 24

SUBDIVISIONS

Cross References — Buildings and building regulations, § 6-1 et seq.; parks and recreation, § 19-1 et seq.; planning and zoning generally, § 20-1 et seq.; streets, sidewalks and public grounds, § 23-1 et seq.; water and sewers, § 28-1 et seq.; Building inspector/code enforcement officer — authorized to enforce ch. 24, § 2-209.

State Law References — Subdivision regulations, § 89.410, RSMo.; zoning and planning, Ch. 88, RSMo.

Editor's Note — Ord. no. 2004-31 § 1, adopted December 14, 2004, repealed ch. 24 "subdivisions" and enacted new provisions set out herein. Former ch. 24 derived from ord. of 4-5-1965 §§ 1 — 9; ord. of 2-19-1968 § 2; ord. of 4-2-1969 §§ 1, 9, 11 — 18; ord. no. 92-11 § 1, 6-8-1992.

ARTICLE I In General

SECTION 24-1. Purpose — Provisions Deemed Minimum Requirements. [Ord. No. 2004-31 § 1, 12-14-2004]

The purpose of this Chapter is to set forth rules and regulations for the subdivision of real property so that each subdivision shall be properly coordinated with existing streets, utilities, public facilities and plans for developing these entities. In their interpretation and application, the provisions of this Chapter shall be construed to be the minimum requirements adopted for the protection of the public health, safety and welfare. To protect the public, among other purposes, such provisions are intended to provide for permanently wholesome community environment, adequate municipal services, safe streets and comprehensive, sound development of the City, both as to its current and future requirements.

SECTION 24-2. Subdividers to Confer With City Engineer's Office Prior to Taking Action. [Ord. No. 2004-31 § 1, 12-14-2004]

Advice and cooperation in the preparation of plats shall be freely given by the office of the City Engineer. Each subdivider of land shall confer with such office before preparing the preliminary plat in order to become more thoroughly familiar with subdivision requirements and the zoning provisions of this Code affecting the territory in which the proposed subdivision lies.

SECTION 24-3. Subdivisions Defined — Exceptions to Subdivision Requirements. [Ord. No. 2004-31 § 1, 12-14-2004; Ord. No. 2009-22 § I, 6-23-2009]

- A. *Definitions.* As used in this Chapter, the following terms shall have these prescribed meanings:

SUBDIVISION — The division, redivision or resubdivision of a tract or parcel of land into two (2) or more lots or other divisions of land.

LOT SPLIT — The splitting of an existing previously platted lot into not more than two (2) tracts and does not create a substandard lot.

- B. *Exceptions.* The provisions of this Chapter shall not apply to the following divisions of land: Any transfer by operation of law.

- C. *Lot Splits.* The intent of this Section is to provide for the issuance of building permits on lots divided into not more than two (2) tracts without having to replat said lot. The City may issue building permits for such lots in accordance with the following regulations:

1. *Application procedure.* Requests for a lot split approval shall be made to the City Clerk by the owner of the land. The application shall include:
 - a. Four (4) copies of a scale drawing.
 - b. Legal description of the lots to be created.
 - c. The location of any structures thereon together with the precise nature, location and dimensions; and name, signature, and seal of the licensed engineer or the registered land surveyor who prepared the drawing.

A fee of fifty dollars (\$50.00) shall be collected by the City Clerk at the time the application is submitted to the City Clerk. The City Clerk shall forward the completed application for Lot Split to the Planning And Zoning Commission for consideration at their next scheduled meeting.

2. *Requirements.* No lot split will be approved if:
 - a. A new street or alley or other public improvements is needed or proposed.
 - b. A vacation of streets, alleys, setback lines, access control or easements is required or proposed.
 - c. A lot split will result in significant increases in service requirements (e.g., utilities, schools, traffic control, streets, etc.).
 - d. There is less street right-of-way than required by subdivision or zoning regulations.
 - e. All easement requirements have not been satisfied.
 - f. Such split will result in a tract without direct access to a public street.
 - g. A substandard-sized lot or parcel will be created (ref: 29-10-D.5).
 - h. The lot has been previously split in accordance with these regulations.

3. *Ratification by the Planning and Zoning Commission.* The Planning and Zoning Commission shall, within forty-five (45) days of having received the application from the City Clerk, notify the City Council in writing of their decision of approval or disapproval or continue for cause those applications which in the opinion of the Planning and Zoning Commission do not comply with these regulations. If action notification to the City Council has not been taken within the forty-five (45) day period, such lot split shall be deemed to have been approved.

SECTION 24-4. Commercial and Industrial Subdivisions — Options for Platting, Etc.
[Ord. No. 2004-31 § 1, 12-14-2004]

- A. Persons proposing subdivisions in areas located in a district zoned commercial or industrial may comply with the following procedures in lieu of other requirements of this Chapter when establishing a plat as required by this Chapter:
 1. *Plat approval.* Plats required under this Chapter may be filed without delineating lot lines and the exact positioning of any lot line is exempt from the requirements of this Chapter if all lots within the plat meet minimum lot size standards of the zoning district in which the subdivision is platted.
 2. *Design and improvement standards.* The design of the subdivision shall accommodate the potential uses of the subdivision and the impact of such uses on the size, capacity and extent of improvements, services and utilities set out in Section 24-16A and shall consider the potential uses of the zoning districts surrounding the zoning district or districts in which the subdivision is platted in the same manner.
- B. A payment to the City in an amount to be determined by the City and the person proposing the subdivision as being equal to the present prevailing constructions costs of the necessary future improvements, services and utilities may be made to the City in areas where significant development has already occurred in the subdivision, proposed subdivision or zoning districts surrounding the zoning district or districts in which the subdivision is platted.

ARTICLE II
Preliminary Plat

SECTION 24-5. Requirements and Filing. [Ord. No. 2004-31 § 1, 12-14-2004]

Three (3) prints of a preliminary plat shall be filed with the Planning and Zoning Commission at least ten (10) days before the meeting at which approval is asked. The plat shall be drawn to a scale of one hundred (100) feet to one (1) inch or larger and shall show or be accompanied by the following information:

1. The proposed name of the subdivision, which must not be so similar to that of an existing subdivision as to cause confusion, and names of adjacent subdivisions;
2. The names of the owner and licensed engineer or surveyor responsible for the survey and design;

3. The location of boundary lines and their relation to establishing section lines or fractional section lines;
4. The location and width of existing and proposed streets, roads, lots and alleys, building lines, easements, parks, playgrounds, school sites and other features of the proposed subdivision and similar facts regarding property immediately adjacent thereto; the location and size of existing sewers and any other utilities and how the streets, alleys or highways in the subdivision offered for record may connect with those in the nearest subdivisions. If there are no adjacent subdivisions, then a map made on a smaller scale may be required by the Planning and Zoning Commission showing outline and ownership of adjacent properties and location and distance of nearest subdivision;
5. A survey showing physical features of the property, including locations of watercourses, ravines, bridges, culverts, present structures, size of adjacent drainage areas in access and other features pertinent to the subdivision. The outline of wooded areas or the location of important individual trees may be required. Topography shall be shown by contours of five (5) or two (2) foot intervals. All grades shown shall be referred to United States Coast and Geodetic Survey. The approximate acreage of the property is to be indicated;
6. Approximate grades and gradients of streets, including existing streets within the proposed development and outside streets tangent or adjacent thereto;
7. A designation of the proposed uses of land within the subdivision, that is, the type of residential use, location of business or industrial sites and sites for churches, schools, parks or other special uses;
8. North point, scale and date.

SECTION 24-6. Indication of Sites for Parks, Schools and Playgrounds. [Ord. No. 2004-31 § 1, 12-14-2004]

Suitable sites for parks, schools, playgrounds and other public requirements shall be carefully considered and indicated on the preliminary plat so that it can be determined which of such sites should be indicated on the final plat and when and in what manner such areas will be acquired by the appropriate public agency.

SECTION 24-7. Filing Fee. [Ord. No. 2004-31 § 1, 12-14-2004]

The subdivider shall, upon such filing, pay a fee of five dollars (\$5.00) per lot; except that in no case shall the fee be less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00), regardless of the number of lots.

SECTION 24-8. Action by Planning and Zoning Commission — Right of Applicant Following Commission Action. [Ord. No. 2004-31 § 1, 12-14-2004]

As soon as practicable and not later than sixty (60) days after its receipt of the preliminary plat, the Planning and Zoning Commission shall, after having given due consideration thereto, advise the person filing the plat of its approval or disapproval

thereof and, if it is disapproved, shall advise the person filing it of the reasons for its disapproval. The failure of the Planning and Zoning Commission to act within sixty (60) days after the date of official submission to it shall be deemed approval. The approval of a preliminary plat shall not constitute acceptance of the subdivision, but is merely an authorization to proceed with the preparation of the final plat for record. No grading of streets or construction work shall be done in the subdivision before the final plat is accepted, except with the written approval of the Planning and Zoning Commission and the City Council. Upon refusal of the Planning and Zoning Commission to approve a preliminary plan, the applicant may make such changes as are required for approval and resubmit the plan or he may appeal the decision to the City Council which may reverse the decision of the Planning and Zoning Commission and approve the preliminary plan.

SECTION 24-9. Sale of Lands by Reference to Unapproved Plat Prohibited — Penalty Setting Aside Transaction. [Ord. No. 2004-31 § 1, 12-14-2004]

No owner or agent of the owner of any land located within the planning jurisdiction of the City 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 City Council or the Planning and Zoning Commission and recorded in the office of the Lafayette County Recorder of Deeds. Any person violating the provisions of this Section shall forfeit and pay to the City a penalty not to exceed three hundred dollars (\$300.00) for each lot transferred or sold, 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 the penalty. Such penalty shall be set by the Council. The City may enjoin or vacate the transfer, sale or agreement by legal action and may recover the penalty in such action.

ARTICLE III
Final Plat

SECTION 24-10. Submission — Contents. [Ord. No. 2004-31 § 1, 12-14-2004]

After the preliminary plat has been approved by the Planning and Zoning Commission or by the City Council on appeal, a final plat in the form of a record plat shall be prepared and three (3) prints thereof shall be submitted to the Planning and Zoning Commission and three (3) prints thereof shall be presented to the City Council at least ten (10) days prior to the meeting at which approval by them is asked. The plat prints shall be easily readable, of good quality and shall be to scale of not more than one hundred (100) feet to the inch unless otherwise directed by the Planning and Zoning Commission and it shall show or be accompanied by the following information:

1. The name of the subdivision and adjacent subdivisions, the names of streets to conform wherever possible to existing street names and numbers of lots and blocks in accordance with a systematic arrangements;
2. An accurate boundary survey of the property with bearings and distances referenced to section or fractional section corners and showing, in dotted lines, the lines of all

adjacent lands and the lines of adjacent streets and alleys with their widths and names;

3. Location of lots, streets, public highways, alleys, parks and other features with accurate dimensions in feet and decimals of feet, with the length of radii and of arcs of all curves and with all other information necessary to reproduce the plat on the ground;
4. The location of building setback lines on all streets and the location and dimensions of utility and drainage easements and other public rights-of-way or access;
5. Profiles of grades for streets, if required by the City Council or by the Planning and Zoning Commission;
6. A preliminary drainage master plan showing proposed drainage facilities for the entire subdivision and detailed storm drainage plans covering that portion to be initially platted. Size, location and alignment of ditches and drainage structures shall be shown;
7. Certification of dedication of all streets, public highways, alleys, parks and other land intended for public use signed by the owner or owners and by all other parties who have lease rights, mortgage or lien interest in the property, together with any restrictions which are to apply to lots;
8. An affidavit of ownership, showing fee simple title and encumbrances and liens;
9. Certification by a registered civil engineer or licensed land surveyor to the effect that the plat represents a survey made by him and that all the necessary survey monuments are correctly shown thereon;
10. Certificates of approval on the tracing to be filled out by the Planning and Zoning Commission and the City Council; and
11. North point, scale and date.

SECTION 24-11. Figures and Letters. [Ord. No. 2004-31 § 1, 12-14-2004]

All figures and letters shown on the final plat must be plain, distinct and of sufficient size to be easily read and shall be of sufficient density to make a lasting and permanent record.

SECTION 24-12. Key Map — Submittal of List of Property Restrictions. [Ord. No. 2004-31 § 1, 12-14-2004]

When in a final plat more than one (1) sheet is used, a key map showing the entire subdivision at smaller scale with block numbers and street names shall be shown on one (1) of the sheets or on a separate sheet of the same size. A copy of such restrictions as may be filed in connection with the property shall be submitted with the final plat.

SECTION 24-13. Action by Planning and Zoning Commission and Notice to Applicant — Variations. [Ord. No. 2004-31 § 1, 12-14-2004]

- A. The Planning and Zoning Commission shall, within thirty (30) days after receipt of the final plat, determine its recommendation as to whether the plat shall be approved, approved with modifications or disapproved and shall within such thirty (30) day period give notice to the subdivider of its determination. If approved, the Planning and Zoning Commission shall so note on the face of the plat and shall thereupon forward it to the City Council, notifying the subdivider of its action. If approved with modification or if disapproved, the Commission shall attach to the original plat a statement of the reasons for such action and shall forthwith return the original of such plat to the subdivider, retaining one (1) copy thereof for its records.
- B. The Commission may recommend a variation of the application of the provisions of this Chapter in harmony with their general purpose and intent and in accordance with the rules contained in this Chapter in cases where there are particular difficulties or particular hardships in the way of carrying out the strict letter of any such rule or provision relating to the subdividing of land and may recommend to the City Council that the Council approves the plat of subdivision of this Chapter, stating the reasons for their recommendations.

SECTION 24-14. Applicants Right of Appeal to City Council. [Ord. No. 2004-31 § 1, 12-14-2004]

If the final plat is returnable to the subdivider as provided in Section 24-13, they may appeal the decision of the Planning and Zoning Commission to the City Council and the decision of a majority of the members of the City Council present and voting at the meeting to which such appeal is made shall be final.

SECTION 24-15. Action by City Council on Subdivision Plat Mandatory. [Ord. No. 2004-31 § 1, 12-14-2004; Ord. No. 2007-09 § 1, 3-13-2007]

- A. The City Council, upon receipt of a final plat of a subdivision, shall consider such plat and the recommendations of the Planning and Zoning Commission relating thereto. The City Council shall then, by resolution, approve the plat as submitted or with such changes or alterations as may be found necessary to make it conform to any zoning, street, development or public improvement plans which may have been adopted or which may appear desirable or shall reject the plat and return it to the applicant with a statement of the reasons for rejection.
- B. After satisfactory compliance with Section 24-16 of this Chapter and final approval by the City Council, the developer will submit a sufficient quantity of mylar and paper copies of the final plat to the City for City use and for the recording of the subdivision with the Lafayette Recorder of Deeds. (The County requires one (1) mylar and one (1) paper copy.)

ARTICLE IV
Public Improvements¹

¹. Editor's Note — Ord. no. 2007-09 § 1, adopted March 13, 2007, repealed sections 24-16 "when buildings may be erected — permits and conditions precedent" and 26-16A "provisions for adequate utility services — connections to utilities prior to

SECTION 24-16. Installation of Public Improvements Required. [Ord. No. 2007-09 § 1, 3-13-2007]

A. *Installation Of Public Improvements.*

1. Before the final plat of any subdivision shall be recorded, the subdivider/developer shall provide for the installation of all public improvements required by the City ordinances of Lexington, Missouri, and any additional improvements as may be required by the Planning and Zoning Commission or City Council. The installation of such public improvements shall be at no cost to the City.
2. Where subdivision plats or development plans are approved in phases, no phase of a final plat or development plan shall be recorded unless all required public improvements for said phase are installed in accordance with the provisions of this Article.

B. *Performance Bond Required.* The subdivider/developer shall post a performance bond or other sufficient surety, acceptable to the Planning and Zoning Commission and City Council, to guarantee the completion of the installation of the public improvements. The bond shall be posted with the City Clerk at the time the final plat is accepted by the City Council. The City alone shall determine the amount of the performance bond or surety required.

C. *In-Progress Inspection.* All public improvements required by these regulations shall be inspected and approved by the City Building Official as such improvements are being installed. The subdivider/developer shall notify the City Building Official prior to the commencement of construction of any such improvement.

D. *As-Built Plans.* Before the Planning and Zoning Commission will approve the final plat for recording, the applicant's engineer shall certify to the City through the submission of detailed "as-built" plans that the improvements have been constructed substantially in conformance with the approved plans and specifications and that the improvements are free and clear of any and all liens and encumbrances and are ready for dedication to the City.

1. The "as-built" plans shall show actual elevations of all elevation points shown on the approved public improvement plans, computation of all actual grades, computations of actual detention volume, actual dimensions and GPS locations of all structures, both above and underground, and all underground public improvements relative to all easements or rights-of-way. All sewer laterals shall be further located by giving a GPS location and the distance from the upstream manhole down to the lateral connector.
2. The information to be included in the "as-built" plans may be provided on the approved construction plans; but, if for any reason, placing said notations on the construction plans is not possible, then this information shall be presented on a separate drawing or drawings.

3. The "as-built" survey shall be sealed by a land surveyor registered in the State of Missouri, with the design engineer's seal and supplied and paid for by the subdivider, along with any additional engineering fees incurred by the City in connection with review of the "as-built" survey.

SECTION 24-16A. Conditions of Acceptance — Guarantee. [Ord. No. 2007-09 § 1, 3-13-2007]

- A. *Final Inspection.* Upon completion of all public improvements within the area covered by the final plat, the subdivider/developer shall notify the City who thereupon shall conduct a final as-built inspection of all improvements installed. If the City Building Official determines that there are defects, deficiencies or deviations in any such improvements installed or if there are any deviations in such improvements as installed from the approved engineering plans and specifications, the City Building Official shall so notify the subdivider/developer in writing. The City Building Official may require the subdivider/developer to terminate all further work until necessary steps are taken to correct any defect, deficiency or deviation found in the inspection. The subdivider/developer shall, at its sole expense, correct such defects, deviations or deficiencies. When such defects, deficiencies or deviations have been corrected, the subdivider/developer shall notify the City that the improvements are ready for reinspection.
- B. *Acceptance Of Public Improvements.* The City Building Official will advise the Planning and Zoning Commission of his final inspection findings. The Planning and Zoning Commission will act upon his findings and recommend approval/disapproval of the as-built plan to the City Council for their action.
- C. *Warranty.* Upon acceptance of such subdivision improvements by the City Council, a two (2) year warranty period shall commence. Partial acceptance shall not be considered unless a phased subdivision development plan has been approved by the Planning and Zoning Commission as a part of the plat approval process.
 1. The subdivider/developer shall provide the City a two (2) year maintenance guarantee of the public improvements. The two (2) year guarantee shall ensure any repairs or replacement of the improvements found to be necessary by the City Engineer.
 2. The subdivider/developer shall post a performance bond or other sufficient surety, acceptable to the Planning and Zoning Commission and the City Council, to guarantee that the subdivider/developer will correct all defects in such improvements or facilities that occur within two (2) years after the offer of dedication of such facilities or improvements is accepted by the City.
 3. Such guarantee will be in the amount of twenty percent (20%) of the estimated cost of the improvements, but shall not be less than two hundred fifty dollars (\$250.00) per lot and shall be filed with the City Clerk prior to the acceptance of the improvements by the City Council.

4. In no case shall the performance bond be released prior to the expiration of the two (2) year warranty term.
- D. *Defects Defined.* The term "*defects*" refers to any condition in facilities or public improvements dedicated to the public that requires the City to make repairs in such facilities or improvements over and above the amount of maintenance that normally would be required as determined by the City. If such defects appear, the guaranty may be enforced regardless of whether the facilities or improvements were constructed in accordance with the requirements of this Article.

SECTION 24-16B. When Buildings May be Erected — Permits and Conditions Precedent. [Ord. No. 2007-09 § 1, 3-13-2007]

- A. No building permit shall be issued for a building within such subdivision until:
1. The construction and installation of curb and gutter, pavement, sanitary and storm sewer lines and necessary improvements to existing sanitary and storm sewer facilities, streets and utilities have been completed and accepted by the City Building Official in the block upon which the lot fronts.
 2. Or, construction of streets and sewers and necessary improvements to existing sanitary and storm sewers, streets and utilities shall have been assured by adequate surety, bond or cash escrow in favor of the City. The City alone shall determine the amount of the surety, bond or cash escrow required.
- B. Installation of all such streets and utilities shall conform to the minimum standards of the City.

SECTION 24-16C. Provisions for Adequate Utility Services — Connections to Utilities Prior to Approval of Plat is Prohibited. [Ord. No. 2007-09 § 1, 3-13-2007]

The City Council may refuse to approve a plat unless it is evident that adequate sewer facilities and necessary improvements to existing sewer and storm sewer facilities and other utilities can be provided within a reasonable time.

SECTION 24-17. Installation of Permanent Monuments. [Ord. No. 2004-31 § 1, 12-14-2004; Ord. No. 2006-40 § 1, 9-12-2006]

Survey monuments shall be placed at all corners of the subdivision boundaries and at all block corners, angle points and points of curve in streets. All boundary corner monuments and at least two (2) block corner permanent monuments for each block shall be installed prior to recording the final plat and shall meet the requirements for a permanent monument as established by the Missouri Department of Natural Resources, Division of Geology and Land Survey. In lieu of installing monuments prior to recording, such installation may be guaranteed by a performance bond or escrow agreement.

SECTION 24-18. Street Arrangement — To Provide Free Traffic Circulation. [Ord. No. 2004-31 § 1, 12-14-2004]

Unless otherwise approved by the City Council, provision shall be made for the extension of main thoroughfares. Secondary streets shall provide free circulation within the subdivision. Offset street intersections with offsets of less than one hundred fifty (150) feet, centerline to centerline, shall not be permitted.

SECTION 24-19. Relation to Existing Streets and Abutting Land. [Ord. No. 2004-31 § 1, 12-14-2004]

The system of streets designated for the subdivision, except in unusual cases where land use will not justify it or in other unusual cases, shall connect with streets already dedicated in adjacent subdivisions; and where no adjacent connections are platted, shall in general be the reasonable projections of streets in nearest subdivided tracts and shall be continued to the boundaries of the tract subdivided, so that other subdivisions may connect therewith. The Planning and Zoning Commission and the City Council may require that land abutting a highway or thoroughfare be platted so that the side or rear of lots abut such highway or thoroughfare in order that traffic hazards are kept at a minimum.

SECTION 24-20. Dead Ends and Cul-De-Sac. [Ord. No. 2004-31 § 1, 12-14-2004]

Except where land use will justify it or in other unusual cases, no dead-end streets will be approved unless such dead-end streets are provided to connect with future streets in adjacent land; but "places" or cul-de-sac may be permitted where the contour of the land makes it difficult to plat with connecting streets. Such "places" or cul-de-sac shall provide proper access to all lots and shall generally not exceed four hundred (400) feet in length and a turnaround shall be provided at the closed end with an outside properly line radius of not less than fifty (50) feet and a curb radius of at least forty (40) feet. Temporary turnarounds may be required at the end of those streets extended to the edge of the subdivision for future connection to adjacent subdivisions.

SECTION 24-21. Required Widths. [Ord. No. 2004-31 § 1, 12-14-2004; Ord. No. 2006-41 § 1, 9-12-2006]

All streets — the right-of-way shall be in accordance with APWA standards and Section 29-38 of the zoning ordinance. Greater widths may be required by the City Council upon the recommendation of the Planning and Zoning Commission.

SECTION 24-22. Sidewalks and Ada Access Ramps. [Ord. No. 2004-31 § 1, 12-14-2004; Ord. No. 2006-36 § 1, 8-10-2006; Ord. No. 2010-33 § 1, 10-13-2010]

- A. Sidewalks shall be installed by the developer on at least one (1) side of the street, they shall be located in the platted street, one (1) foot from the property line. They shall be continuous within the block, with no skipping of lots, and shall be contiguous to any pre-existing sidewalks. Walks shall also be installed in any pedestrian easements as may be required by the Planning Commission. Sidewalks shall be not less than four (4) feet wide and shall have a minimal lateral slope of one-quarter (1/4) inch.

- B. *Design For Persons With Disabilities.* In order to enable disabled persons to travel freely and without assistance, access ramps shall be installed whenever new curbing or sidewalks are constructed or reconstructed in the City of Lexington. Such ramps shall comply with the then current requirements of the "Americans with Disabilities Act Standards" (Department of Justice Title III regulations, ADA Standards 28 CFR Part 36) and "American Public Works Association (APWA) Sidewalk Ramp Standards (Kansas City Metro)", and be subject to review and approval by the City Engineer. These standards shall apply to any City street or connecting street for which curbs and sidewalks are required by Lexington City Code or on curbs and sidewalks that have been prescribed by the City Council. In case of conflicts in requirements between these two (2) standards, ADA Standards shall prevail. A building permit is required for all new or replacement sidewalk installations.

SECTION 24-23. Utility Easements. [Ord. No. 2004-31 § 1, 12-14-2004]

Easements of not less than ten (10) feet shall be provided on each side of rear or side lines, where necessary, for public utilities. If necessary for the extension of main sewer lines or similar utilities or drainage courses, easements of greater width may be required along lot lines or across lots. Easements, where practicable, shall connect with established easements in adjoining property.

SECTION 24-24. Alleys and Alley Widths. [Ord. No. 2004-31 § 1, 12-14-2004]

Except in unusual cases, alleys or loading courts must be provided in business blocks. Alleys are optional in residential districts, but may be required where alleys of adjoining subdivisions would be closed or shut off from egress by the failure to provide alleys in the new subdivision. Alleys shall have a minimum width of twenty (20) feet. In case of intersecting alleys, a cutoff shall be required of at least five (5) feet measured from the point of intersection of the alley lines. The resultant connecting lot line shall be at least five (5) feet in length.

SECTION 24-25. Block Lengths, Intersecting Streets and Pedestrian Ways. [Ord. No. 2004-31 § 1, 12-14-2004]

In general, intersecting streets determining block lengths shall be provided at such intervals as to serve cross traffic adequately and to meet existing streets or customary subdivision practice in the neighborhood. Where no existing plats control, the blocks may not exceed twelve hundred (1200) feet in length. In blocks longer than five hundred (500) feet, pedestrian ways through the block may be required near the center of the block. Such pedestrian ways shall have a minimum width of ten (10) feet.

SECTION 24-26. Lot Sizes — Residential Districts. [Ord. No. 2004-31 § 1, 12-14-2004; Ord. No. 2012-01 § V, 1-10-2012]

Minimum width at the front building line shall be adequate for the building according to applicable Section 29-10 zoning regulations. The minimum depth of a residential lot shall be one hundred ten (110) feet. Corner lots shall be at least fifteen (15) feet wider than the average lot in the block.

SECTION 24-27. Where Subdivision Consists of Parcels Larger than Normal Lots. [Ord. No. 2004-31 § 1, 12-14-2004]

In case a tract is subdivided into larger parcels than normal building lots, such parcels shall be arranged to permit the opening of future streets and logical resubdivision.

SECTION 24-28. Lot Lines. [Ord. No. 2004-31 § 1, 12-14-2004]

All lots shall have the side lines as nearly at right angles to the street on which the lot faces or as radial to curved street lines as possible.

SECTION 24-29. Building Lines. [Ord. No. 2004-31 § 1, 12-14-2004]

Building lines shall be shown on all lots and shall provide at least the setback necessary to meet the zoning requirements of the City.

SECTION 24-30. Utilities. [Ord. No. 2004-31 § 1, 12-14-2004; Ord. No. 2005-35 § 1, 9-13-2005]

- A. *Sewers.* The proprietors of any new subdivision shall be required to construct all sewers within the new addition, including both main and lateral sewers and main extensions to new subdivision. The lateral sewers from the main to the lots in any new subdivision shall be installed to a point three (3) feet inside of the curb line on the individual lots in the subdivision. They may connect these sewers with the existing City sewer system only after the sewers constructed by them have been approved by the Missouri Department of Natural Resources. Upon the subdivision being accepted and the sewers constructed approved, the sewer main shall belong to the City.
- B. *Septic Systems.* If sewers are unavailable to the subdivision or cannot be made available to the subdivision, any septic system installed shall meet the requirements and approval of the Missouri Department of Natural Resources and the City and a certificate of approval shall be registered with the City Engineer or other properly designated official.
- C. *Water Mains.* All water mains installed in new subdivisions shall be installed in the parkway when possible.
- D. *Culverts, Curbs, Guttering.* Culverts, curbing and guttering, when required in any new subdivision, shall be installed by the owners of the subdivision and shall be of acceptable design and size.
- E. *Fire Hydrants.* Will be installed by the developer at such locations as will meet the requirements of the insurance rating in force for the rest of the City.
- F. *Streets.* All streets shall be in accordance with Section 29-38 "Layout and Construction Specifications and Requirements for Residential and Commercial Streets" of the zoning ordinance.
- G. *Easements.* Proper easements in favor of the City shall be executed by the proprietor of any new subdivision covering the installation of all utilities, including

sewers. Rights of ingress and egress shall also be conveyed to the City and no easement shall be designated less than fifteen (15) feet in width.

- H. *Street Lights*. The developer must put street lights upon the streets of any new subdivision with the approval of the City Council.