

Ord No.

# CD-CPC-2024-00042

**Summary:** Redirecting certain permitting and inspection functions from the City Planning and Development Department to the Water Services and Public Works Departments in response to Ordinance 230741.



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## 88-405-10-B. CONNECTIONS TO ABUTTING PROPERTY

5. If providing a temporary turnaround on (off-site) adjacent property is not practical or the developer is not able to obtain the required off-site temporary easement, the city planning and development director may approve one of the following options:
- (a) elimination of the off-site temporary turnaround in lieu of an on-site permanent concentric bubble right-of-way curbed turn-around centered on the extending street centerline prior to the termination point of the street extension (minimum lot sizes, dimensions, and setbacks must be maintained for lots fronting on the turn-around right-of-way); or
  - (b) provision of an on-site, non-concentric bubble temporary turn-around on one or more lots and provision of a temporary easement encumbrance over the entire lot or lots affected by the turn-around. If a portion of a lot is encumbered by the turn-around, the entire lot must be covered by the easement without exception. The easement will be retained until the street is extended in a subsequent phase or lot, the temporary turn-around is removed, and all permanent street improvements are complete.
- eliminating the need for the temporary turn-around.

5. If providing a temporary turnaround on (off-site) adjacent property is not practical or the developer is not able to obtain the required off-site temporary easement, the ~~city planning and development director~~ director of public works may approve one of the following options:

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## 88-405-10-D. INTERSECTIONS

1. Streets must intersect each other at right angles unless otherwise dictated by pedestrian and vehicle safety, topography, or other factors of environmentally sensitive site design.
2. Intersection radii must comply with the city's Standards, Specifications, and Design Criteria, provided that the city planning and development director may require a greater or reduced radius when anticipated traffic or roadway and intersection improvements warrant.

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## 88-405-21-B.1 FINANCIAL GUARANTEES

### 1. BONDS

- (a) The developer may post a performance bond for all or a portion of the required improvements, in an amount estimated by the city planning and development director to be sufficient to cover the entire cost of construction, engineering, installation, and dedication of the improvements to be covered by the bond. Bonds for partial improvements may be accepted only if the balance of the public improvements are completed before release of the final plat for recording.
- (b) Performance bonds must comply with the requirements of RSMo 89.410 and are subject to approval by the director.

- (a) The developer may post a performance bond for all or a portion of the required improvements, in an amount estimated by the ~~city planning and development director~~ director of public works or director of water services (as applicable) to be sufficient to cover the entire cost of construction, engineering, installation, and dedication of the improvements to be covered by the bond. Bonds for partial improvements may be accepted only if the balance of the public improvements are completed before release of the final plat for recording.

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## 88-405-21-B.1 FINANCIAL GUARANTEES

- (c) Within 2 years of the date that the performance bonds are posted, the developer must obtain all required construction permits and post performance and maintenance bonds for completion of the required improvements. The city planning and development director may, upon proof of hardship, extend the 2-year life of the bond for a maximum of one additional year. Further extensions may be granted by the city council. In the event of any time extension, the city planning and development director may require an increase in the bond amount if the director determines that the original bond amount will not be sufficient to cover the costs of construction, engineering, installation, and dedication of the improvements to be covered by the bond.
- (d) The city is authorized to delay releasing a subdivision until required public utility construction permit and bond procedures are completed.

- (c) Within 2 years of the date that the performance bonds are posted, the developer must obtain all required construction permits and post performance and maintenance bonds for completion of the required improvements. The ~~city planning and development director~~ director of public works or director of water services (as applicable) may, upon proof of hardship, extend the 2-year life of the bond for a maximum of one additional year. Further extensions may be granted by the city council. In the event of any time extension, the ~~city planning and development director~~ director of public works or director of water services (as applicable) may require an increase in the bond amount if the director determines that the original bond amount will not be sufficient to cover the costs of construction, engineering, installation, and dedication of the improvements to be covered by the bond.

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## 88-405-21-B.2 FINANCIAL GUARANTEES

### 2. ESCROW OR LETTER OF CREDIT

(a) The developer may enter into an escrow or a letter of credit agreement with the city. This form of financial guarantee requires that the applicant place in escrow or submit a letter of credit in an amount estimated by the city planning and development director to be sufficient to cover the entire cost of construction, engineering, installation, and dedication of the improvements to be covered by the financial guarantee. Unless a completion date is properly extended by the city planning and development director for the escrow or letter of credit agreement, public improvements must be completed in accordance with the following timetable:

[EXPAND](#)

Improvement	Required Completion (years from plat recording)
Wastewater (sewer)	2
Stormwater management	2
Streets	2
Sidewalks	2
All other	2

(b) The escrow or letter of credit agreement

(a) The developer may enter into an escrow or a letter of credit agreement with the city. This form of financial guarantee requires that the applicant place in escrow or submit a letter of credit in an amount estimated by the ~~city planning and development director~~director of public works or director of water services (as applicable) to be sufficient to cover the entire cost of construction, engineering, installation, and dedication of the improvements to be covered by the financial guarantee. Unless a completion date is properly extended by the ~~city planning and development director~~director of public works or director of water

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## 88-405-26 - PLATS STRADDLING JURISDICTIONAL BOUNDARIES

Wherever access to a subdivision is required across land within another municipality or political jurisdiction, the city plan commission may request an opinion from the city attorney that access is legally established and also from the city planning and development director to ensure that the access road is adequately improved or that a performance bond has been duly executed and is sufficient to ensure construction of the access road.

Wherever access to a subdivision is required across land within another municipality or political jurisdiction, the city plan commission may request an opinion from the city attorney that access is legally established and also from the ~~city planning and development director~~ director of public works to ensure that the access road is adequately improved or that a performance bond has been duly executed and is sufficient to ensure construction of the access road.

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## 88-415-08-B. EXCEPTIONS

3. The water services director must review the plan for compliance with the stream buffer regulations of this article and recommend that the exception request be approved, approved with conditions or denied and forward such recommendation in writing to the city planning and development director by the deadline for review established by the city planning and development director. An exception may be recommended for approval when the water services director determines that a bona fide hardship exists and when the integrity of the stream corridor will be protected through avoidance, minimization, and appropriate mitigation measures.

- proposed mitigation, and ratio of proposed mitigation to created area.
3. The water services ~~director~~director must review the plan for compliance with the stream buffer regulations of this article and ~~recommend that the exception request be approved,~~ approved with conditions or denied ~~and forward such recommendation in writing to the city planning and development director by the deadline for review established by the city planning and development director~~ the application for exception. An exception may be ~~recommended for approval~~ at when the water services director determines that a bona fide hardship exists and when the integrity of the stream corridor will be protected through avoidance, minimization, and appropriate mitigation measures.



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## 88-415-10 - INSPECTIONS

Required stream buffers must be inspected by the water services director who must provide written confirmation to the city planning and development director that such buffers conform to the approved stream buffer plan prior to recording of a plat or prior to the issuance of a building permit, whichever occurs first. The property owner shall cause the stream buffer to be accessible to the water services director to facilitate inspection, construction, maintenance, and other activities related to the stream and public infrastructure in the buffer area.

(Ord. No. [220322](#), § 1, 4-21-2022)

Required stream buffers must be inspected by the water services director ~~who must provide written confirmation to the city planning and development director to confirm~~ that such buffers conform to the approved stream buffer plan prior to recording of a plat or prior to the issuance of a building permit ~~by the city planning and development director, whichever occurs first~~. The property owner shall cause the stream buffer to be accessible to the water services director to facilitate inspection, construction, maintenance, and other activities related to the stream and public infrastructure in the buffer area.

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## 88-415-11 - PLAN REVIEW PROCESS

Upon the filing of any application required by this zoning and development code, the city planning and development director shall provide a review to water services director:

88-415-11-A. When a regulated stream or floodplain is present on the subject property; or

88-415-11-B. When a regulated stream is located on an adjacent property and within 200 feet of the subject property; or

88-415-11-C. When the outside edge of a 100-year floodplain, with or without a regulated stream contained therein, is located on adjacent property and is within 150 feet of the subject property.

o. [220322](#), § 1, 4-21-2022)

Upon the filing of any application required by this zoning and development code, the ~~city planning and development director~~ director of water services shall evaluate ~~shall provide a review to water services director.~~

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## 88-570-02-D. P/O DISTRICT—DRIVEWAY AND VEHICLE ACCESS STANDARDS

1. The city planning and development director is authorized to approve an administrative adjustment to the driveway and vehicle access standards of [88-230-03-E](#),
2. Such an administrative adjustment may be approved only when the city planning and development director determines, in consultation with other appropriate city officials that access to the subject lot cannot be safely accommodated by alley or side (non-pedestrian) street access.

1. The ~~city planning and development~~ director [of public works](#) is authorized to approve an administrative adjustment to the driveway and vehicle access standards of 88-230-03-E,
2. Such an administrative adjustment may be approved only when the ~~city planning and development~~ director [of public works](#) determines, in consultation with other appropriate city officials that access to the subject lot cannot be safely accommodated by alley or side (non-pedestrian) street access.

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## 88-570-02-I. TRAIL ENCROACHMENTS INTO STREAMSIDE BUFFER ZONE

The city planning and development director is authorized to approve an administrative adjustment allowing paved or unpaved trails to encroach into the streamside zone (See 88- 415-05-A. 1). Administrative adjustments for (paved or unpaved) trail encroachments into the streamside zone may be approved only when the city planning and development director determines that alternative alignments are not feasible due to topography, the presence of existing structures such as bridges or flood control levees, the inability to acquire property to accommodate other trail alignments, or when that the trail represents the termini of existing trails and trail rights-of-way. Streambanks and natural resource areas affected by allowed encroachments must be stabilized in accordance with the city's Standards, Specifications and Design Criteria, and natural resources must be mitigated in accordance with 88-415-07-C and 88-415-08-B.4.

The ~~city planning and development~~ director of water services is authorized to approve an administrative adjustment allowing paved or unpaved trails to encroach into the streamside zone (See 88- 415-05-A. 1). Administrative adjustments for (paved or unpaved) trail encroachments into the streamside zone may be approved only when the ~~city planning and development~~ director of water services determines that alternative alignments are not feasible due to topography, the presence of existing structures such as bridges or flood control levees, the inability to acquire property to accommodate other trail alignments, or when that the trail represents the termini of existing trails and trail rights-of-way. Streambanks and natural resource areas affected by allowed encroachments must be stabilized in accordance with the city's Standards, Specifications and Design Criteria, and natural resources must be mitigated in accordance with 88-415-07-C and 88-415-08-B.4.

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**City Plan Commission Recommendation**

Approve

