



**AGENDA  
CITY OF BELTON  
PLANNING COMMISSION  
MEETING AND PUBLIC HEARING  
MONDAY, AUGUST 17, 2009 - 7:00 P.M.  
BELTON CITY HALL ANNEX, 520 MAIN STREET**

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- I. CALL MEETING TO ORDER
- II. ROLL CALL
- III. APPROVAL OF THE MINUTES OF THE JULY 6, 2009 PLANNING COMMISSION MEETING
- IV. ELECTION OF OFFICERS
- V. PRESENTATION: WALKING TRAILS MASTER PLAN
- VI. CASES WITH PUBLIC HEARING
  - A. CASE #SUP09-15: CONSIDERATION OF A SPECIAL USE PERMIT TO ALLOW A USED CAR LOT TO OPERATE AT 604 N. SCOTT
- VII. CASES
  - A. DISCUSSION: UNIFIED DEVELOPMENT ORDINANCE (UDO)
- VIII. DIRECTOR'S REPORT
- IX. NEXT MEETING:  
Special Meeting – September 14, 2009 at Fire Station #2, 16400 N. Mullen Road  
Regular Meeting – September 21, 2009 at City Hall Annex, 520 Main Street
- X. ADJOURNMENT

# MEETING MINUTES

JULY 6, 2009

Minutes of Meeting  
Belton Planning Commission  
City Hall Annex, 520 Main Street  
July 6, 2009

CALL TO ORDER

Chairman Paul Myers called the meeting to order at 7 p.m.

ATTENDANCE

- Commission: Chairman Myers, Mayor Pro Tem Gary Lathrop, Councilman Bobby Davidson, Commissioners Sally Davila, Tim McDonough, Scott VonBehren, and Larry Thompson.
- Staff: Jay Leipzig, Director of Community Planning & Development; Shannon Marcano, City Attorney; Robert Cooper, City Planner; and Ann Keeton, Community Development Secretary.
- Absent: Commissioners Holly Girgin and Roger Horne

MINUTES

Commissioner Thompson moved to approve the minutes of the June 1, 2009, Commission meeting. Commissioner VonBehren seconded the motion. All members present voted in favor and the motion carried.

UPDATE ON BELTON GLASS

Mr. Leipzig distributed two letters for review (attached) concerning the Belton Glass Special Use Permit (SUP). One letter was sent to the Belton Glass owner, Jeff Shaw, outlining the two deadlines he was given to meet the SUP conditions, and the other letter was from Mr. Hixon with an awning company. Mr. Leipzig explained the exterior work on the building at 309 Main was completed by the deadline date, but the awning was not installed by the second deadline date. The letter from Mr. Hixon reports the awning company has received a down payment for an awning to be installed at Belton Glass. According to the letter, the awning is backordered and is not available for installation at this time. It was reported by Mr. Leipzig that on June 29, Mr. Shaw ordered the awning which was not installed by the deadline date of July 1.

COMMISSION DISCUSSION

Chairman Myers gave a brief summary of the actions associated with the Belton Glass SUP and he stated that Mr. Shaw was aware if he did not comply with the conditions of the SUP his license would be revoked. The Commission has been waiting for Mr. Shaw to complete the conditions associated with the SUP for one and a half years according to Chairman Myers.

Mr. Leipzig reported that Mr. Hixon believes the awning will be in stock next week. He went on to explain that he had mistakenly referred to two awnings in the letter to Mr. Shaw but the original proposal was for one awning. Mr. Leipzig stated that it would be satisfactory for Mr. Shaw to install one awning as originally proposed. Several Commission members commented about the extreme length of time that has been given to Mr. Shaw to comply with the conditions

of the SUP and based on the fact that he still has not finished, they recommended his license be revoked. Commissioner Davila pointed out several instances when Mr. Shaw kept Commission members waiting for case data and did not meet the deadlines he was given.

Mr. Leipzig asked for clarification of Commission action from Ms. Marcano. He asked if the Commission action is to recommend to the City Council the SUP and the business license both be revoked for Belton Glass. With the revocation of the SUP, a zoning violation would be created allowing the Council to revoke the business license according to Mr. Leipzig. Ms. Marcano's stated opinion was the Planning Commission can decide on its own to revoke the SUP and through that action recommends to the Council that the occupancy license be revoked. If the applicant comes into compliance with the conditions of approval of the SUP, that issue goes away. It was clarified the recommendation to revoke the SUP would not be on the Council agenda until next week. **Mayor Pro Tem Lathrop moved to revoke the SUP and recommend that the occupancy permit for Belton Glass be revoked.** Commissioner Thompson seconded the motion. When a vote was taken, the following was recorded: Ayes: 7 – Chairman Myers, Mayor Pro Tem Lathrop, Councilman Davidson, Commissioners Davila, McDonough, VonBehren, and Thompson. Noes: none. Absent: 2 – Commissioners Girgin and Horne. The motion carried.

#### PUBLIC HEARING

CASE # SUP09-13: Chairman Myers opened the public hearing at 7:15 p.m. This hearing was being held to receive public input regarding a Special Use Permit application to allow a church to operate at 500 N. Scott in a C-2 (General Commercial) zoning district.

*Staff report:* Mr. Leipzig told Commission members it is a requirement of the Zoning Ordinance that churches go through a SUP approval process.

#### COMMISSION DISCUSSION

Councilman Davidson asked if the applicant meets all the criteria and was told the church does meet all the criteria. **Councilman Davidson moved to approve the SUP for the church to operate at 500 N. Scott.** Commissioner VonBehren seconded the motion. When a vote was taken, the following was recorded: Ayes: 7 – Chairman Myers, Mayor Pro Tem Lathrop, Councilman Davidson, Commissioners Davila, McDonough, VonBehren, and Thompson. Noes: none. Absent: 2 – Commissioners Girgin and Horne. The motion carried.

Mr. Cooper asked for clarification on the motion. He specifically asked if the approval included the conditions listed in the agenda which were: 1) No certificate of occupancy be issued for the church until the site has had a final inspection for compliance with applicable city codes; and 2) that the SUP be reviewed by the Planning Commission in one year to ensure compliance.

Mayor Pro Tem Lathrop questioned if there is adequate parking for a church at that location, and if the parking lot will be paved. It was reported by Mr. Cooper the back portion of the lot is not paved and the front and sides of the building are partially paved. He went on to say staff believes there will be enough parking spaces available. This is an existing building with several commercial units so paving is not required since the owner is not adding on to the building according to Mr. Cooper. There was discussion about the location of the church entry door and it

was made clear the entry door is in the back of the building. Chairman Myers closed the public hearing at 7:20 p.m.

## UDO DISCUSSION

Mr. Leipzig presented a staff report about the Unified Development Ordinance (UDO). Tonight's sections of the proposed ordinance covered Use-specific Standards, Residential Uses; Accessory Uses and Structures; and Temporary Uses and Events. He reported that internally the DRC group has met and there will be meetings with the City attorney regarding the proposed UDO.

Mr. Leipzig drew attention to illustrations in the proposed ordinance that will help clarify minimum separation between buildings. He mentioned the biggest changes are in the formatting and the way items are visually presented. Mr. Leipzig pointed out and went into detail about several sections of the UDO. Discussion items included:

- **Manufactured Home Parks**
  - In discussion of the manufactured home parks, Councilman Davidson requested the UDO go into more detail about the definitions and the difference between trailer homes and manufactured / modular homes.
- **Group Homes**
  - The City is reviewing the definition of group homes and will be making changes to be consistent with State regulations.
- **Adult Business**
  - According to Mr. Leipzig the current ordinance is better than the proposed ordinance so that will be examined for incorporation into the UDO.
- **Pay Day Loans**
  - The current ordinance calls for a separation of 1,000-ft. between pay day loan facilities while the proposed ordinance calls for 1,500-ft separation requirement. The current code has a separation requirement of 500-ft. between loan facilities and residential districts while this separation requirement is absent from the proposed ordinance. Councilman Davidson warned that there is a court case pending regarding pay day loans and he recommended the city attorney be contacted about this section of the ordinance. Mr. Leipzig reiterated staff will be meeting with the city attorney to go through the proposed UDO to make sure that everything in the current ordinance becomes part of the proposed ordinance.
- **Title Loans**
  - Ms. Marcano indicated the proposed ordinance puts Pay Day and Title Loan facilities in the same category and as such will have the same separation requirements.
- **Drive-through Facilities**
  - Mr. Cooper informed Commission member the current ordinance does not address stacking in drive-through facilities, but the proposed UDO provides minimum stacking data and illustrations.
- **Wireless Telecommunications Facilities**
  - Mr. Leipzig reported the UDO had an entire section devoted to telecommunications, while the current ordinance has some language regulating cell towers hidden in the text. A complete section dedicated to

telecommunications facilities should help clarify the regulations according to Mr. Leipzig.

- Temporary outdoor and seasonal outdoor sales events
  - This section deals with events such as the fireworks stands

Mr. Leipzig reported the Commission is approximately halfway through the review process and on schedule for the UDO to be adopted in December, 2009. He reiterated the staff will be meeting with the City attorney to make sure the proposed ordinance is consistent with the current ordinance. Ms. Marcano stated the adoption process is “a marathon and not a sprint.” With a combination of initial questions from the Commission, review by staff and the City attorneys, a rough draft can be created and brought back for review before the final approval. She went on to state that the process will continue after final approval and referred to the UDO as a “living document” that will always have changes and amendments as circumstances dictate. Before final adoption, the DRC will review a couple of projects using the UDO to verify there is nothing missing. Chairman Myers commented that it looks like everything is coming together.

An explanation of the proposed UDO section concerning the number of units per building for single-family attached and multiple-family dwellings was given by Mr. Leipzig. He stated the proposed language may have to be modified to clarify the intent of the regulation.

There was a question from Mayor Pro Tem Lathrop about the separation requirement in the “Group Home” section. The proposed language requires a minimum distance of 1,000-ft. from other group homes unless the requirement is waived by the City Council. Mayor Pro Tem Lathrop indicated he is not in favor of group home applicants asking the Council to waive the regulation. Mr. Cooper said the Group Home section will change and should not have been added to this draft.

#### DIRECTOR’S REPORT

Mr. Leipzig will update the City Council on the status of the UDO.

The adoption of the International Property Maintenance Code (IPMC) schedule will be presented to the City Council July 7. The final adoption of the IPMC is tentatively scheduled for November 2009. According to Mr. Leipzig the adoption of the IPMC will help with consistent enforcement of the codes.

The action taken by the Commission at tonight’s meeting regarding Belton Glass will be on the Council agenda for the July 14 meeting.

At the July 20 Planning Commission meeting there will be a presentation about the Boardwalk at Belton development and a City Trails Master plan that has been developed by the Park Department.

There will not be a Planning Commission meeting on August 3 according to Mr. Leipzig. Chairman Myers verified with the Commission members present that they agree to the cancellation of the August 3 meeting, and they approved.

Mayor Pro Tem Lathrop announced there may not be a Council meeting on November 10 because it is the National League of Cities week.

The Commission was reminded of the Liability Training for Public Officials and Commission Members to be held tomorrow night in the Council Chambers at 6:30 p.m.

#### ADJOURNMENT

Mayor Pro Tem Lathrop moved to adjourn the meeting. Commissioner VonBehren seconded the motion. All members present voted in favor, and the meeting adjourned at 7:30 p.m.

Ann Keeton  
Community Development Secretary

# ATTACHMENTS

Baker-Lockwood-Western Awning Co.

Serving Kansas City since 1870

12918 2<sup>nd</sup> Street

Grandview, Missouri 64030

(816) 761-2443

(816) 761-3014 Fax

[www.westernawningcompany.com](http://www.westernawningcompany.com)

July 1, 2009

Belton Glass Company

309 Main Street

Belton, Missouri

We have received a down payment for the purchase of one welded frame fabric awning to be installed on the back of the above address. We currently are running about 3 to 4 weeks on manufacture and installation.

Sincerely,

Western Awning Co.



David Hixson



PLANNING & COMMUNITY DEVELOPMENT  
JAY LEIPZIG, AICP  
DIRECTOR

CITY HALL ANNEX  
520 MAIN STREET  
BELTON, MISSOURI 64012

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April 24, 2009

Mr. Jeff Shaw  
Belton Glass  
309 Main Street  
Belton, Missouri 64012

Mr. Shaw:

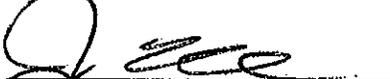
As you are aware, the Planning Commission reviewed your progress concerning a Special Use Permit for your business at 309 Main Street in Belton, Missouri. The purpose of the letter is to provide written documentation and verification for the deadlines that were imposed by the Planning Commission for the completion of the renovation work, and to ensure compliance with the Special Use Permit. The Planning Commission believes that you are making progress on this renovation, and granted the following two additional deadlines to comply with the Special Use Permit.

**By June 1, 2009**, all remaining exterior work must be completed on this building. This work will include the completion of the stucco on the North wall, and enclosing the telephone cable wire either in conduit or a similar material for concealment. This work must also include the installation of a proper door frame and patching to ensure that the bare wood is not visible.

**By July 1, 2009**, two exterior canopies must be properly and completely installed over the garage door facing Loop Road and the walk through door. Prior to the installation, please provide a detailed work specification to my attention at the City of Belton for my review.

Thank you for complying with the requests of the City, and we look forward to the continued renovation of this building. Please keep in mind that these deadlines represent final due dates, and the failure to comply may result in the revocation of your business license for Belton Glass. Please do not hesitate to contact me if you have any questions.

Respectfully,



Jay C. Leipzig, AICP-Director  
Community Planning & Development

Cc: Robert Cooper, City Planner  
Mark Polk, City Inspector  
Leo Lockard, City Inspector  
Al Hoag, City Councilmember  
Everett Loughridge, City Councilmember  
Paul Myers, Planning Commission Chair

**BELTON**

**TRAILS**

**MASTER PLAN**

# **Belton Trails Master Plan**

**April, 2009**



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Blue Springs, MO 64015

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## **PART 1 - INTRODUCTION**

The summer of 2008 will long be remembered for the staggering increase in oil and gasoline prices and the strain passed along to the average consumer not only at the pump, but every time those increases are passed along in inflated shipping costs. Thankfully, this summer will also be fondly remembered in the City of Belton as the implementation of the comprehensive Trail Master Plan. In what seems to be a prescient move, the Belton Parks Board has taken the initiative to commission and produce this plan with the ultimate aim of adding legitimate transportation alternatives to the community fabric.

Bicycling, walking and skating have always been popular activities for youth and family recreation where safe and accessible routes are available. Historically, in many suburbanized communities these activities were rarely seen as viable alternatives for vehicle trips due to the short Midwestern "trail season". This perception is now changing as improvements in waterproof clothing and footwear coupled with better bicycle, skate and shoe technology have extended comfortable trail use to nearly year-round in the Midwest. Where weather was not a concern, many communities failed to plan trails as vehicle trips were seen as a quicker method of getting around a community. This is also changing, thanks in large part to the over-dependence upon the car and the resulting congestion in many suburban communities. Where trails exist, door-to-door times for bike riders are nearly identical to drivers for trips under 5 miles.

The Belton Bike Trail will expand upon a conceptual idea first proposed in the Belton Parks Master Plan (2005) which cited a long-range goal of connecting all of Belton's parks with a pedestrian and bicycle trail. The Trail Master Plan will also draw upon the planning initiatives undertaken by the Mid-America Regional Council (MARC) such as the "Metro Green" comprehensive plan, MoDOT's Bicycle and Pedestrian program and other resources that all sprang into existence from the Federal TEA-21 program and its requirements for alternative transportation systems.

Within the Federal TEA-21 program, the Metropolitan Planning process "establishes a cooperative, continuous and comprehensive framework for making transportation investment decisions in metropolitan areas"<sup>1</sup> and this has provided the foundation for MARC's Metro Green Plan. Within the Metro Green plan, Belton and northern Cass County will function as the southern gateway to the entire trail system. By taking the initiative now, Belton will position itself as the model community for Cass County and other surrounding cities will be tasked with connecting to its' trail system. Likewise, the Belton Trail will echo TEA-21's call for Metropolitan Planning Organizations to develop transportation systems that "...increase the safety and security of the transportation system for motorized and nonmotorized user...protect and enhance the environment, promote energy conservation and improve quality of life, [and] enhance the integration and connectivity of the transportation system...for people..."<sup>2</sup>.

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<sup>1</sup> TEA-21 Metropolitan Planning Fact Sheet – <http://www.fhwa.dot.gov/TEA21/factsheets/metropln.htm>

<sup>2</sup> Ibid.

## PART 2 - CURRENT SITUATION

### 2.1 Nearby Jackson County Trails and Facilities

#### Longview Lake/Little Blue Trails

This 6-mile trail within Longview Lake Park provides an off-road shared-use<sup>1</sup> route from just north of Missouri Highway 150 to 109<sup>th</sup> Street and is an integral part of the southern Jackson County portion of the Metro Green system. The connection to this trail closest to Belton is provided through the Little Blue River Trail. This trail is accessible from the intersection of 139<sup>th</sup> Street and Byars Road. From this location the trail continues south-westerly along the Little Blue River as shown in Photo 1 to a turn-around and trail head at Winchester Road. The trail also continues north-easterly where it eventually links to the Longview Lake Trail.

There is limited parking provided at the trail crossing of Byars Road (shown in Photo 2) and additional parking provided on Winchester Road. From this location, riders and walkers can access the Little Blue River trail which links to the Longview Lake trail. The trail crossing is an at-grade crosswalk with striped markings and caution signs for vehicular traffic. The traffic volume on Byars is relatively light, providing for a relatively safe crossing for bikers and pedestrians.

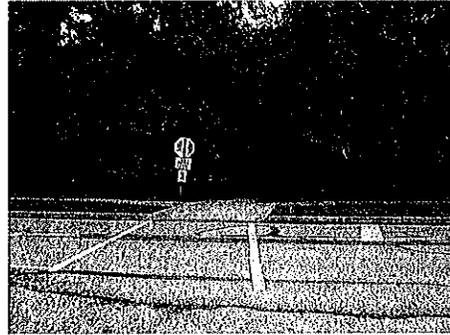


Photo 1



Photo 2



Photo 3

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<sup>1</sup> "Shared Use" for the purpose of this Master Plan shall refer to trails open to all modes of non-motorized transportation which may include (but not limited to) walking, jogging, skating (in-line, blades and boards) and cycling.

## 2.2 Raymore Linear Parks

The nearby City of Raymore has two Linear Parks at the current time. The Belton Trails Plan will likely not link to these systems, but they are catalogued and mentioned here to serve as example projects and to encourage cooperative trail development with Raymore in the future.

### Good Parkway

This is a short (1/4 mile) pathway extending south of Lucy Webb road between Old Paint Road and Fox Ridge Drive. There is no vehicular parking at Lucy Webb Road and no marked crossing, limiting the use of the trail to residents south of Lucy Webb or to bikers/walkers who choose to cross at the signalized intersection of Fox Ridge. A view of the trail from the north side of Lucy Webb Road is shown in Photo 4 at right.

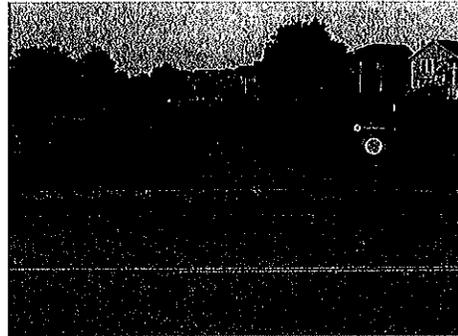


Photo 4

### Eagle Glen Park

This linear park and trail extends from Lucy Webb Road north to 58 Highway. This trail provides walking and biking opportunities for many residents who live in the nearby neighborhoods. Signage and well-marked crossings increase the safety for the trail users. The trail is shown in photos 5-7 at right and below.



Photo 5

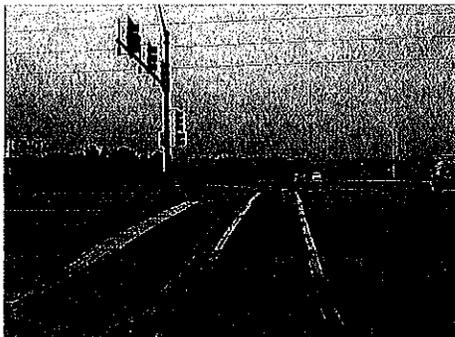


Photo 7 - M058 and Fox Ridge

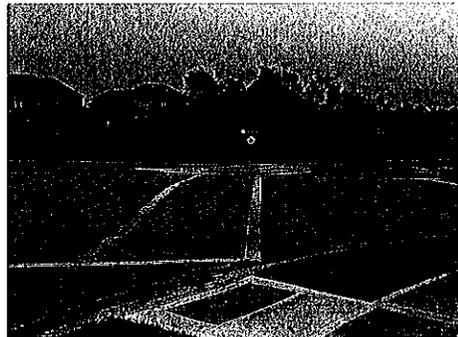


Photo 6

### 2.3 Nearby Private Trails

#### Lucy Webb Road and Dean Ave.

There are a number of trails located within nearby housing developments that may have some influence on the final configuration of Belton's overall trail network. The first trail is located at the intersection of N. Dean Avenue and Lucy Webb Road (photos 8-10 at right and below). The trail is approximately ½ mile in length, with the mid-point being at the road intersection. The trail has no destination function at the current time and likely serves as a recreation opportunity for residents in the nearby homes. The trail is in good condition and could function as a primary linkage to the Belton trail system for a number of Raymore residents.

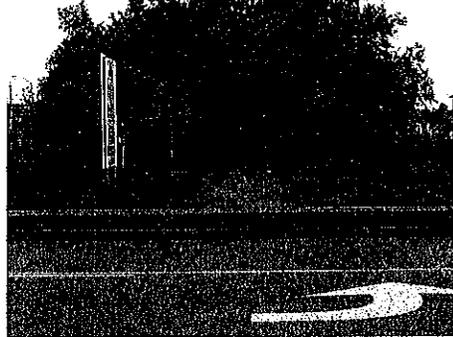


Photo 8

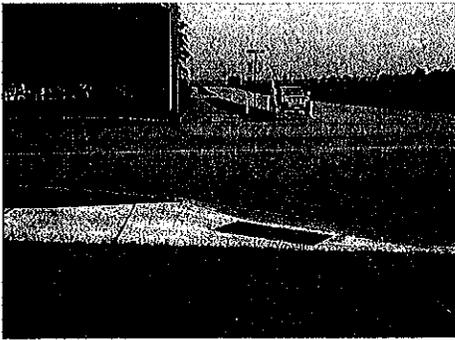


Photo 9

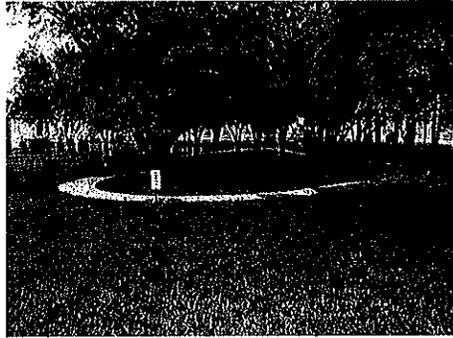


Photo 10

#### Creekmore Trail

This trail, located in Raymore, was developed alongside N. Fox Ridge Drive and runs nearly a mile from just short of 155<sup>th</sup> Street southward to the commercial development just north of 58 Highway. The trail at 155<sup>th</sup> Street is shown in Photo 11 at right.

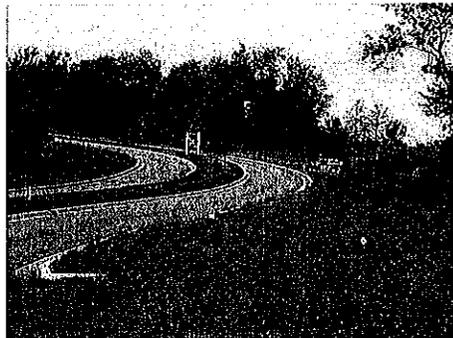


Photo 11

## **2.4 Belton Parks Trails and Facilities**

Belton currently has a number of mixed use trails within several of its' parks. For the large part, these trails are self-contained to the park and have no connectivity to the surrounding neighborhood. In addition to the existing trails, the Parks Master Plan proposed additional trails and links/extensions to the surrounding sidewalk network at a minimum.

### **Cimarron Trails**

There are no dedicated trails at Cimarron as of the date of writing. The Parks Master Plan, however, proposed a dedicated multi-use trail for the north parcel along the north and south boundaries.

### **Markey Park**

Markey Park features a 5/8-mile lighted walking trail. The surface is asphalt and rest stops are provided at intervals along the route. The trail is a looped around the ball fields and access is provided via the main 'spine' pathway from the parking lot to the concession plaza. The park currently lacks dedicated trail parking and bike racks at the concession area or parking lot.

### **Memorial Park**

Memorial Park features a looped trail in the northern portion that is accessed via the north lot or pool/skate park parking. The trail is approximately 1/4-mile in length, asphalt surfaced without lights. There are no bike racks and parking is shared with multiple uses.

### **Wallace Park**

Wallace Park features a 7/8-mile paved trail looped within the park boundary. Access to the trail is provided at several points and bike racks are located near the main entrance to the community center.

### **US71 Underpass**

Currently in the approval stage, the pedestrian and bike tunnel under US71 will be located just south of Wallace park within the Oil Creek floodplain. This passage will provide a much-needed linkage between the east and west sides of Belton.

### **Country View Park**

The Parks Master Plan proposed a 1/4-mile looped trail within Country View Park that will provide bike and pedestrian opportunities.

### **Somerset Park**

The trail within Somerset Park connects 163<sup>rd</sup> Street and Bryan Way as it follows the edge of the pond. The trail is paved but lacks any dedicated parking other than on-street opportunities on Bryan Way.

## **Oil Creek Trail**

This trail is currently undeveloped (mulched pathway) but is situated within the Oil Creek floodway just on the east side of Mullen Road adjacent to Wallace Park. This trail was identified during the Community Workshop as an opportunity for development within the Trails Master Plan.

### **2.5 Trail and Route Design Standards**

Since the mid to late 1980's, Federal and State transportation agencies have responded to the need for safe bicycle and pedestrian pathways and trails by creating standards for the integration of these facilities into larger transportation projects (usually roadway construction). TEA-21 specifically states that "Bicycle transportation facilities and pedestrian walkways shall be considered, where appropriate, in conjunction with all new construction and reconstruction of transportation projects, except where bicycle and pedestrian use are not permitted."<sup>2</sup> As a result, the Missouri Department of Transportation has developed standards for these facilities that are based upon two documents produced by the American Association of State Highway and Transportation Officials (AASHTO); "The Guide for Development of Bicycle Facilities" (1999) and the "Guide for the Planning, Design and Operation of Pedestrian Facilities" (2004). The Belton Trail Master Plan will utilize these standards for the creation and designation of the following types of bicycle routes within road rights-of-way:

- Shared Routes – these are roads (without curb and gutter) and streets (with curbs) renovated to accommodate bicycle traffic. The two approaches for shared routes include paved shoulders and wide curb lanes.
  - Paved Shoulders – paved shoulders, at least 4 feet wide, for roads without curbs and gutters
  - Wide Curb Lanes - a 14-foot outside (curb) lane shared by vehicles and bicycles. These wide lanes are appropriate for streets with lower traffic volumes and minimal on-street parking.
- Bike Lanes – striped and marked bike lanes along urban streets, typically 5 feet in width.
- Bicycle Sidepaths – separate bicycle or shared-use path, 8 to 10 feet wide, separated from the street with a 4 to 8 foot boulevard strip. The sidepath will parallel the street and typically be located within the right-of-way.

Pedestrian facilities within roadway rights-of-way shall be provided by sidewalks or sidepaths wherever possible. Where this is not feasible, the use of paved shoulders may be considered.

Bicycle and pedestrian facilities completely independent of vehicle facilities shall be termed 'shared use paths' or trails.

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<sup>2</sup> TEA-21, Section 1202

## **2.6 Current Issues**

In March of 2008, the Belton Trail Committee was formed to address the current bicycle and pedestrian issues facing the community. The committee identified several items that could be addressed and corrected through the creation and implementation of a Trail Master Plan. Some of these items include:

- A lack of connection between parks and surrounding neighborhoods
- Congestion on 58 Highway
- Residents have to 'drive' to the parks to walk a trail
- No connection between neighborhoods east of US71 and businesses/historic district to the west
- No safe bicycle routes on any city streets
- A desire to get more people to the Community Center without overwhelming parking
- No linkages (other than roads) between the parks
- General health concerns (childhood obesity, opportunities for seniors to walk, etc.)

These concerns and opportunities formed the basis for the Trail Goal Statement detailed in the following section.

### **PART 3 - Belton Trail Goals**

The Belton Trail Committee formulated the following goal statements in response to the issues and opportunities present in the community. They are as follows:

*The Belton Trail System will encourage active lifestyles for families and individuals by:*

- *Providing safe and accessible routes.*
- *Linking homes with parks and other important destinations.*
- *Creating trail access points reasonably spaced throughout the community.*

*The Belton Trail System will improve the quality of life for residents by:*

- *Beautifying the community through preserving, renewing and creating greenspace.*
- *Reducing vehicle trips, thereby reducing congestion and pollution.*
- *Linking diverse neighborhoods, thereby increasing random and planned social activities.*
- *Increasing property values within the City.*

*The Belton Trail System will promote and renew the sense of community by:*

- *Uniting (through physical linkages) new development with the historic core.*
- *Bridging and connecting different neighborhoods.*
- *Bolster community pride and self-image through completion of a progressive trail system.*

*The Belton Trail System will create a legitimate alternative transportation network by:*

- *Linking Belton to other metro communities by connecting to the Metro Green trail system.*
- *Linking Belton to the surrounding region by connecting to the Katy Trail.*
- *Creating opportunities for all residents to become independent of car transportation.*

*The Belton Trail System will encourage economic development and positively impact the community by:*

- *Reducing gas consumption and saving residents money.*
- *Creating new marketing opportunities for Belton businesses.*
- *Creating demand for properties near the trail system.*
- *Providing a plan to guide new development which may become an incentive for progressive developers.*

Within the context of this Master Plan, there are several easily identifiable projects that will advance the goals outlined above. For clarity, these projects are organized by their primary trail type (off-street, paved shoulder, etc.) to provide future parks boards and community groups the maximum flexibility in determining the priority of each project. This approach also provides the greatest clarity for projecting probable construction costs and will allow for easy adjustment to future material and labor prices.

### 3.1 Off-Street Trails

#### A. East-West Connection under US 71

Some sort of connection under the US 71 roadbed is desperately needed. Ideally, this connection will utilize a culvert tunnel to provide a safe, off-street crossing for bicyclists and pedestrians. Connecting the east and west sides of Belton currently bisected by US71 is a critical component of the overall Master Plan. In the proposed route below, the new tunnel would be connected to the Wallace Park trail as the park can provide parking and easy access to the trail. Signage noting the trailhead is recommended to be installed in the south parking lot at Wallace Park.

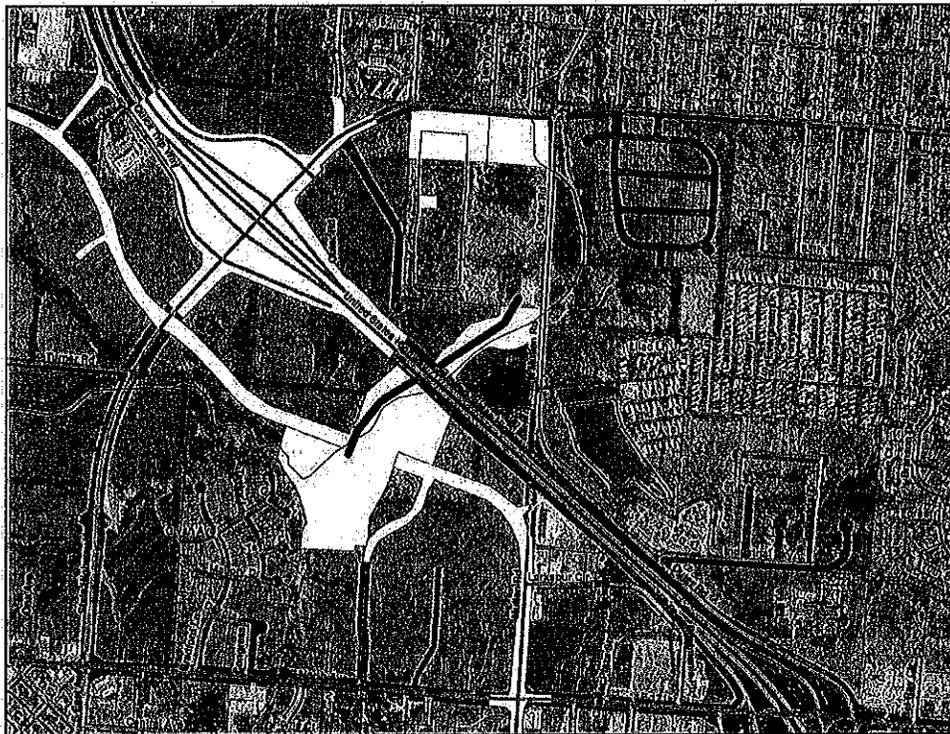


Figure 3.1 – US71 Underpass and Extensions

B. Markey Parkway, US71 Tunnel and Proposed Lake/Park Project

These objectives may already be included in the Markey Parkway and Lake Park projects, but they are included here to ensure the trail components are not overlooked. The lake loop and trailhead in the Park will function as a very important node in the trail system. The components of this objective include:

- 1.0 miles of Bike Lane (striped) on Markey Parkway from Y Highway south to US58/North Ave. This lane is recommended in addition to the planned off-street shared use trail.
- 0.47 miles of off-street trail within the Lake Park.
- Bike racks, directional signage, and trail information kiosk in Lake Park parking lot
- Pedestrian and bike crossings at proposed signal
- Trailhead access to lake trail, Markey Parkway and US71 underpass. This may include minor (less than ¼ mile) connectors to the trail(s).

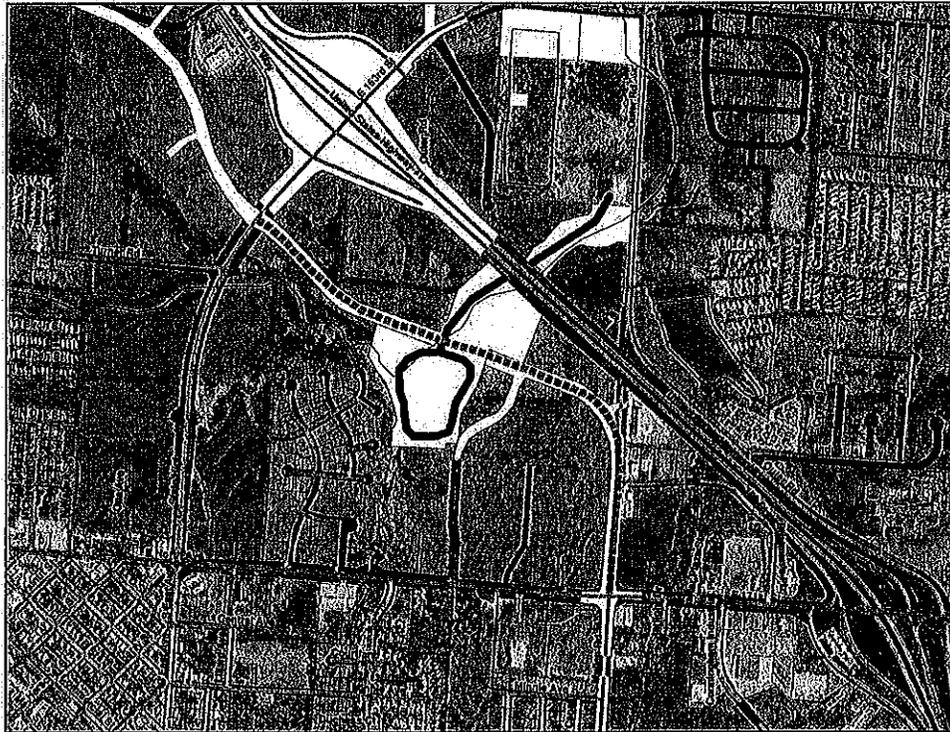


Figure 3.2 – Markey Parkway, US71 Underpass and Wallace Extension

C. Oil Creek Trail from Wallace Park, East to 163<sup>rd</sup> Street Park.

This off-street trail will connect the new Lake Park and Somerset Park in a green 'necklace' with Wallace Park functioning as the 'jewel' in the center. Until other objectives are completed, this spine will provide a very important east-west route for many residents in the community and should be well-used. The components of this objective include:

- 0.36 miles of Off-Street Sidepath from roughly the southeast corner of Wallace Park following the Oil Creek floodway north to 163<sup>rd</sup> Street.
- 0.37 miles of sidepath on 163<sup>rd</sup> Street from the Oil Creek bridge east to Somerset Park. This would comprise a widening of the existing southern sidewalk.



Figure 3.3 – Oil Creek Trail

D. Oil Creek Trail – 163<sup>rd</sup> Street to 155<sup>th</sup> Street

This ambitious objective will utilize the Oil Creek floodway to create a dedicated route from 155<sup>th</sup> to 163<sup>rd</sup> Street, effectively linking the center of east Belton with its' north boundary. The components included in this objective are:

- 1.12 miles of off-street trail from the 163<sup>rd</sup> Street bridge north to 155<sup>th</sup> Street.
- Trailhead facilities at 155<sup>th</sup> Street including directional and informative signage.
- Additional access at 163<sup>rd</sup> Street including connection to existing Oil Creek trail and safe crossing of 162<sup>nd</sup> Street which may require a pedestrian-activated signal.



Figure 3.4 – Oil Creek Trail to 155<sup>th</sup> Street

E. Rail-to-Trail for KC Southern Line

An ambitious objective is the conversion of a portion the KC Southern right-of-way through Belton to an off-street shared trail. This trail spine could provide a much safer north-south route through Belton upon its' completion while effectively linking all the major routes on the west side of Belton. The components of this objective include:

- 4.73 miles of off-street trail from 155<sup>th</sup> Street south to Cambridge within the KCS right-of-way. At this time it is unclear if the land required could be leased, purchased or condemned.
- Connection to Memorial through the south parking lot.
- Connection to Downtown trailhead created with the Cedar Street route.
- 1.77 miles of paved shoulder on Cambridge Avenue from Cedar street to the KC Southern intersection and creation of trailhead facilities there.

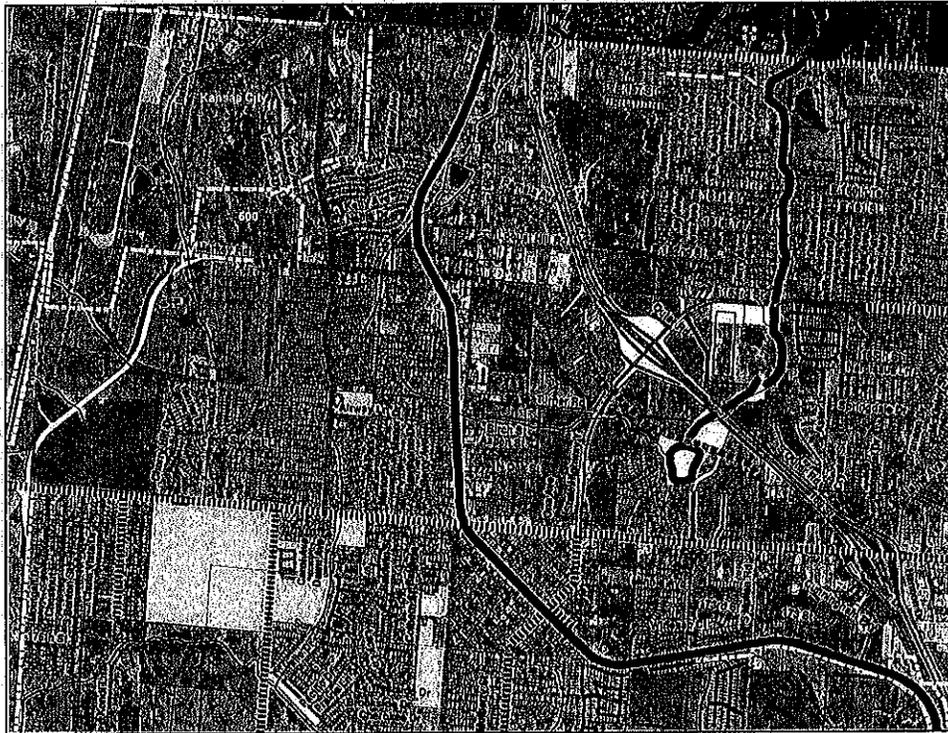


Figure 3.5 – KC Southern Rail-to-Trail (partial)



Figure 3.6 – KC Southern Rail-to-Trail (partial)

F. Oil Creek Trail – Mullen Road Extension

This extension of the Oil Creek Trail to the south east will provide a mostly off-street connection between Bel Rey Drive and Wallace Park. This section of trail will provide direct access to the residents in the neighborhoods bounded by North Avenue, Bel Rey Drive, US71 and Springdale Drive. This trail can also be linked to the existing private trail associated with the hospital. The components of this objective include:

- 0.97 miles of off-street trail from the southern termination of the Oil Creek trail, continuing south and south-east to Bel Rey Drive, paralleling the outer road and Industrial Parkway. At this time it is unclear if the land required could be leased, purchased or condemned.



Figure 3.7 – Oil Creek Trail – Mullen Extension

### 3.2 Paved Shoulder Trails

#### A. Connections to Regional Trails

An important goal for the Trail system expressed by both the public and the Trail committee is the connection to trails in surrounding communities. This goal also ties Belton's trails into the overall MARC plan for Jackson and Cass counties. The following routes will be established as part of this objective:

- 0.97 miles of paved shoulder on 155<sup>th</sup> Street from US 71 east to Oil Creek Trail. This route segment will provide bike riders with access to the Little Blue Trail via the East outer road along US71.
- 1.56 miles of paved shoulder on 155<sup>th</sup> Street from Oil Creek Trail east to Fox Ridge Drive and connecting to that existing trail.
- 1.12 miles of sidepath (sidewalk expansion) on MO58 from Bel Ray Drive east to Fox Ridge, connecting Belton and Raymore. This route may be funded and coordinated through a joint effort between Belton, Raymore and MoDOT.
- 1.02 miles of paved shoulder on North Ave from Prospect Avenue west to Holmes Road; this will allow for eventual connection with Blue River Trail. Explore joint Belton and KCMO development of shared bike route on Holmes Road to connect to other MARC trails.



Figure 3.8 - 155th Street Extension



Figure 3.9 - M058 Extension



**Figure 3.10 - North Avenue Extension**

B. Neighborhood Infill and Spurs

As development continues in the south-west portion of Belton there will need to be trail connections established with the rest of the overall network. Most of these connections will be short 'spur' trails that provide residents with access points to already established trails. These shorter routes include the following:

- 1.09 miles of off-street trail beginning at a new access point at Pacific and Park and continuing south of Cambridge within the flood way to the City Limits.
- 0.47 mile of striped lane on Harris Avenue from 163<sup>rd</sup> Street to 159<sup>th</sup>.
- 0.52 mile of paved shoulder on Harris Avenue from 159<sup>th</sup> north to 155<sup>th</sup> Street.
- 0.47 miles of paved shoulder on 162<sup>nd</sup> Street from the Oil Creek Trail to Allen Road.
- 0.85 miles of paved shoulder on Allen Road from 162<sup>nd</sup> Street north to 155<sup>th</sup>.
- 1.61 miles of Floodway spurs south of Cambridge for future development. These would be paid by the developer(s) of those properties.

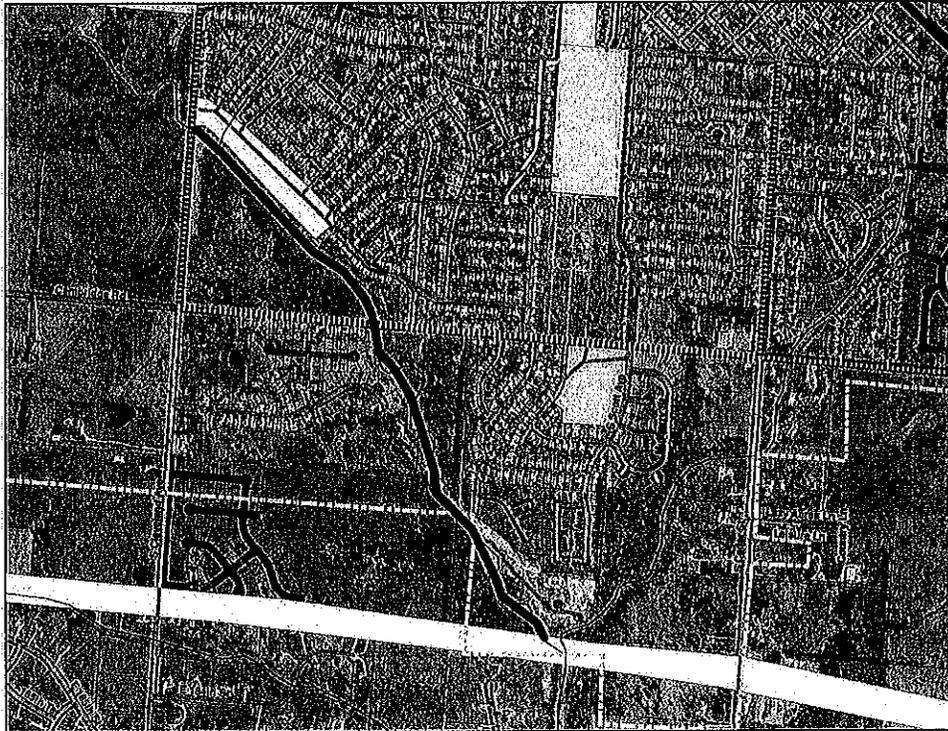


Figure 3.11 - Pacific and Park Floodway Spur



Figure 3.12 - Harris, 162nd and Allen Road Routes

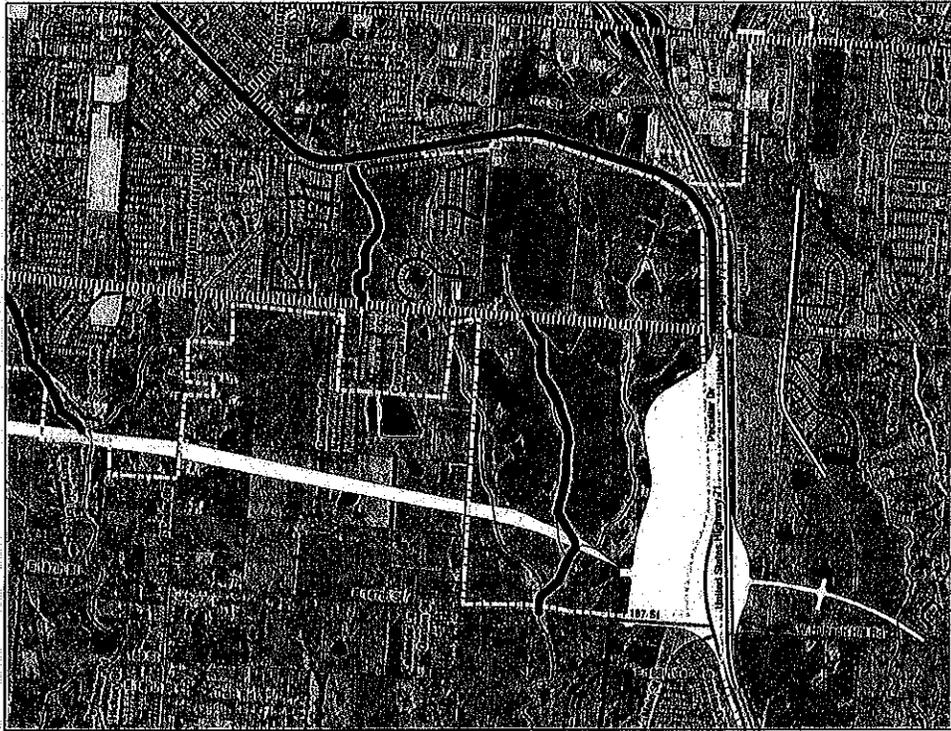


Figure 3.13 - South Floodway Spurs

### 3.3 Striped Lane Trails

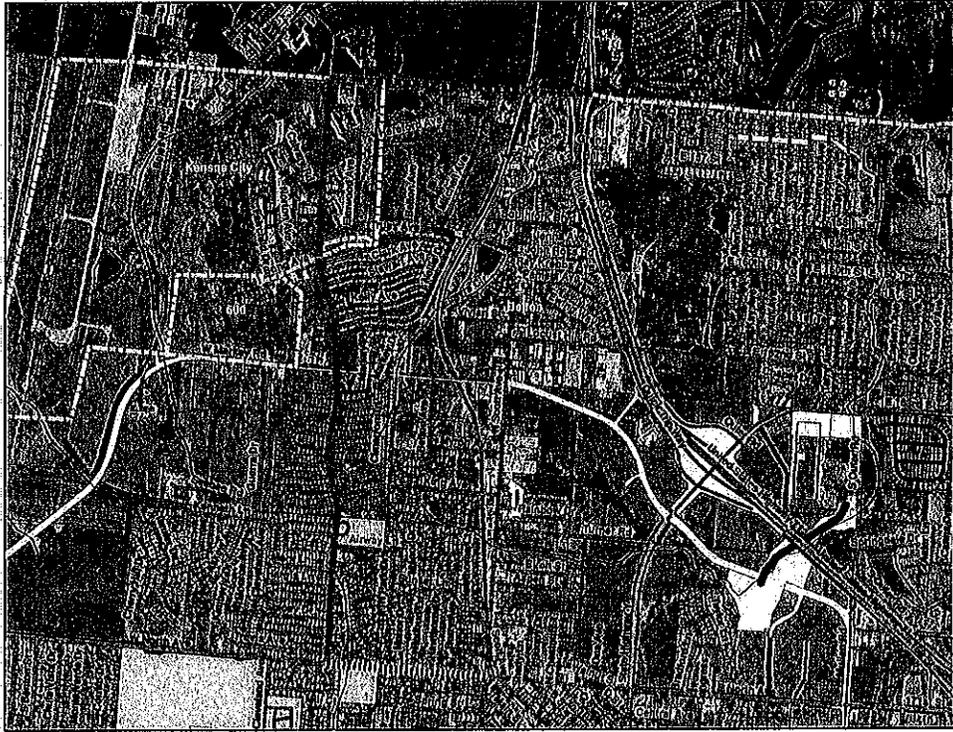
#### A. North-South Bike Route

As identified during the community workshop, creation of a safe North-South bike route is needed. To complete this goal, a combined shared roadway and marked bike lane route shall be created from Cambridge to 155<sup>th</sup> Street. The individual parts of this route include:

- 1.0 miles of Striped Bike Lane on S. Scott Ave, beginning at Cambridge and going north to E. North Avenue.
- 0.52 miles of Sidepath on E. North Avenue from Scott going west to Westover Road. This would be an expansion of the existing sidewalk(s) on the south side of North Avenue.
- 2.02 miles of Bike Lane (striped) on Westover Road, beginning at North Avenue going north to 155<sup>th</sup> Street.
- 0.85 miles of paved shoulder on 155<sup>th</sup> Street, beginning at Westover and going east to US71.



Figure 3.14 - South Scott and North Avenue Routes



**Figure 3.15 - Westover and 155th Street Routes**

B. Markey Parkway Route Extension

This objective provides a dedicated route from North Avenue/US58 to Markey Park and will be completed along with the construction of Markey Parkway. Although current road cross-sections show a true sidepath, it will be important to monitor future phases of the road construction to ensure the sidepath isn't eliminated due to budget constraints. This parkway route effectively links retail, recreation and residential neighborhoods at once. The components of this objective include:

- 1.65 miles of Bike Lane (striped) on Markey Parkway from Y Highway north and west to Markey Park.
- Intersection improvements at Westover and Markey including bike/pedestrian crossings and directional signage.
- Trailhead facilities at Markey Park including bike racks, directional and informational signage, etc.

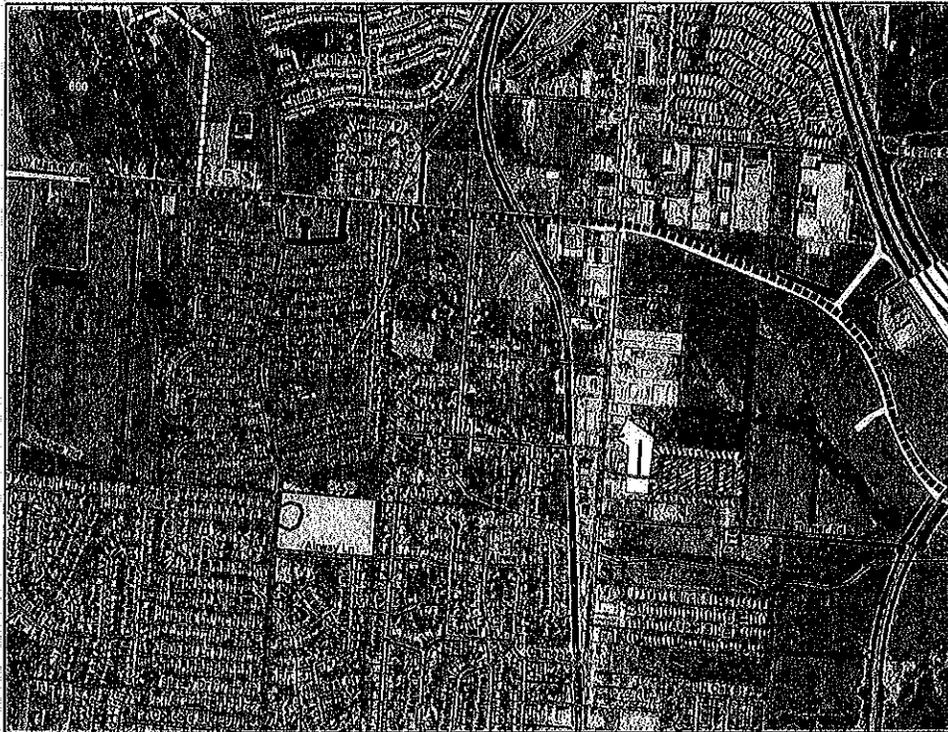


Figure 3.16 - Markey Parkway

C. East Belton Loop

Creating a loop to serve the eastern portion of Belton is an important goal. A combination of striped lanes and sidepaths (expanded sidewalks in most cases) will be used to create the loop that ties into trails created through other objectives. The components of this objective include:

- 0.48 mile of Striped Bike Lane on Bel Ray Drive from North Ave to round-about.
- 0.1 mile of striped lane on Bel Ray Drive from roundabout to Spring Valley Road.
- 0.49 mile of sidepath (sidewalk expansion) on Spring Valley from Bel Ray north to 163<sup>rd</sup> Street.
- 0.42 mile of sidepath on 163<sup>rd</sup> from Spring Valley west to Somerset Park (south sidewalk).

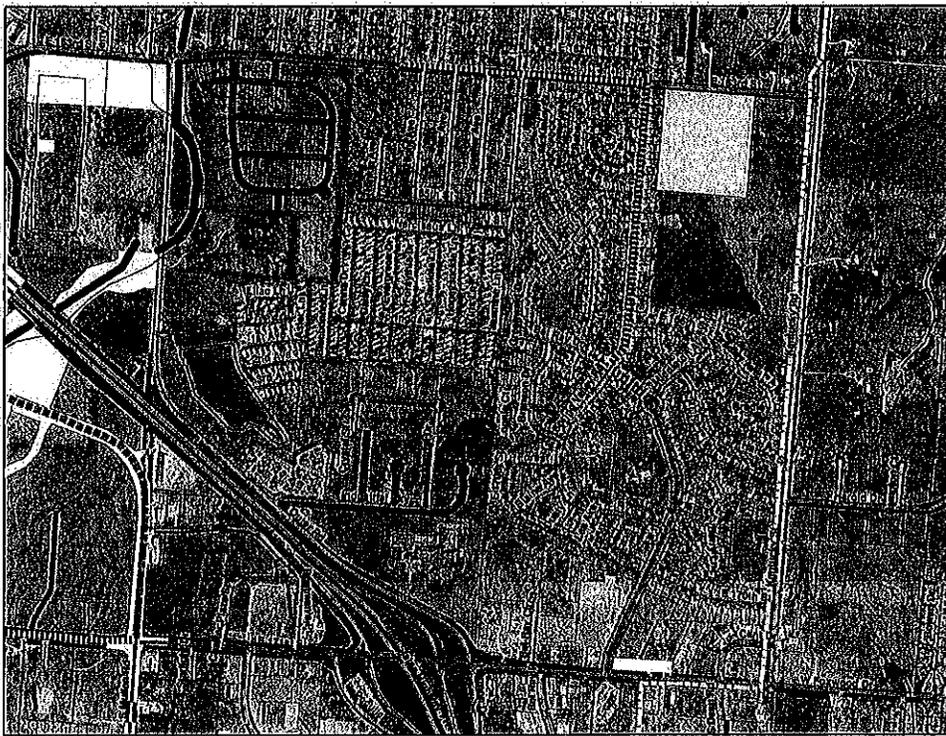


Figure 3.17 - East Belton Loop

### 3.4 Sidepath Trails

#### A. School and Park Connections in West Belton

Similar to creating a loop to serve the residents of east Belton, a combination of sidepaths and shared roadways will be used to establish access to the trail network for west Belton residents. The major routes included in this objective are:

- 1.19 miles of sidepath on North Avenue from Westover Road west to Prospect Ave. This would be an expansion of the southern sidewalk.
- 1.21 miles of sidepath on North Avenue from Scott east to Markey Parkway.
- 0.5 mile of paved shoulder on Cleveland Avenue from Cambridge north to Sunrise.
- 0.5 mile of sidepath (sidewalk expansion – west side) on Cleveland Avenue from Sunrise to North Avenue.
- 0.98 mile of paved shoulder on Cambridge from Cleveland east to Cedar (connect to existing bike lane on Scott).
- 1.09 miles of paved shoulder on Cedar from Cambridge north and east to North Avenue. This route will also include a 0.1 mile spur to Memorial Park.
- 0.49 mile of paved shoulder on Monte Verde from North Avenue south to Country View Park.
- Trailhead facilities at Memorial and Country View Parks.
- Trailhead facility in Downtown to be located in a public parking lot.



Figure 3.18 - West Belton Routes

## B. North Avenue Sidepath

The final component of the East Belton trail system links the east Belton loop with the route along North Avenue/MO58. This will provide a secondary east-west connection (with the primary connection being the US71 underpass). The crossings required at the US71 interchange must be geared to safety for bicycle and pedestrian users.

- 1.06 miles of sidepath on North Avenue from Y Highway east to the US 71 interchange. This would be an expansion of the south sidewalk.
- 0.24 mile of striped bike lane on North Avenue through the US 71 interchange.
- 0.23 mile of sidepath on North Avenue from US 71 to Bel Ray Boulevard.
- Improvements at intersections and the US71 interchange.



Figure 3.19 - North Avenue Extension

### **3.5 Summary**

At the ultimate completion of these objectives, the City of Belton will have approximately 35 miles of off-street and on-street trails. This network meets and exceeds the goals established by the Trails Committee and will provide a new quality of life for all of the City's residents.

## **PART 4 - Budget Costs**

### **4.1 Costs for Paved Shoulders**

Although several routes described by the master plan may not require actually adding additional shoulder width, but the total cost for shared routes includes it for budgetary planning.

- Clearing/Grubbing and Brush Removal
- Asphalt expansion with sub-base
- Hydroseeding
- Silt Fencing
- Signage
- Re-located or new guard rails
- Rumble strips
- Pavement Markings
- Mobilization, temporary traffic control and contingencies
- Total Budgeting Cost: \$115/LF

### **4.2 Costs for Striped Bike Lanes**

Where the pavement width will allow, the master plan recommends re-striping the existing travel lanes to accommodate a dedicated bike lane on one side of the roadway. The following budgetary costs are used:

- Removal of existing markings
- Signage
- New Pavement Markings
- Mobilization, temporary traffic control and contingencies
- Total Budgeting Cost: \$30/LF

### **4.3 Costs for Off-Street Shared-use Trails**

The cost for shared-use, off-street trails takes into consideration several individual costs to arrive at a per-foot basis. These costs include:

- Excavation for the trail paving
- Rough grading and light clearing
- 4" gravel base course
- Compaction
- 2-1/2" bituminous sidewalk (8 foot wide)
- Fine grading (to 5' on either side)
- Seeding
- Land Acquisition

The budgeting cost for off-street shared-use trails, based on these assumptions, is \$190.00 per linear foot. Costs for off-street sidepaths that involve expansion of existing sidewalks utilize a reduced cost of \$65, due in most part to the reduced need for grading and drainage improvements.

#### **4.4 Budget Projections**

Budget projections for the various projects are provided on the next two pages.

| Project Designation                            | Type                     | Quantity | Unit | Unit Cost      | Extended Cost |
|--|--------------------------|----------|------|----------------|---------------|
| <b>3.1 Off-Street Trails</b>                   |                          |          |      |                |               |
| <b>US 71 Underpass</b>                         |                          |          |      |                |               |
| West extension                                 | Off-street shared        | 750      | LF   | \$190.00       | \$142,500     |
| East extension                                 | Off-street shared        | 930      | LF   | \$190.00       | \$176,700     |
| <b>Markey Parkway and Lake trail</b>           |                          |          |      |                |               |
| Markey Parkway - Y to North Ave.               | Striped Lane             | 5250     | LF   | \$30.00        | \$157,500     |
| Lake trail                                     | Off-street trail         | 2460     | LF   | \$190.00       | \$467,400     |
| Park facilities                                |                          | 1        | EA   | \$7,500.00     | \$7,500       |
| <b>Oil Creek and 163rd Street</b>              |                          |          |      |                |               |
| Oil Creek trail - Mullen to 163rd              | Off-street trail         | 1980     | LF   | \$190.00       | \$359,100     |
| 163rd Street - Oil Creek to Somerset Park      | Sidepath (sidewalk exp.) | 1970     | LF   | \$65.00        | \$128,050     |
| <b>Oil Creek Trail</b>                         |                          |          |      |                |               |
| 163rd Street to 155th                          | Off-street shared        | 5900     | LF   | \$190.00       | \$1,121,000   |
| Trailhead at 155th                             |                          | 1        | EA   | \$7,500.00     | \$7,500       |
| Access at 162nd                                |                          | 1        | EA   | \$7,500.00     | \$7,500       |
| <b>Rail Trail</b>                              |                          |          |      |                |               |
| KC Southern - 155th to Cambridge               | Off-street shared        | 24950    | LF   | \$190.00       | \$4,740,500   |
| Memorial Connection                            |                          | 1        | EA   | \$7,500.00     | \$7,500       |
| Downtown Connection                            |                          | 1        | EA   | \$7,500.00     | \$7,500       |
| Cambridge - Cedar to Rail ROW                  | Paved Shoulder           | 9850     | LF   | \$115.00       | \$1,075,250   |
| <b>Oil Creek Trail - Mullen Road Extension</b> |                          |          |      |                |               |
| Off-street trail - Mullen to Bel Rey           | Off-street trail         | 5100     | LF   | \$190.00       | \$969,000     |
| <b>3.2 Paved Shoulder Trails</b>               |                          |          |      |                |               |
| <b>Connections to Existing Trails</b>          |                          |          |      |                |               |
| 155th Street - US 71 to Oil Creek Trail        | Paved Shoulder           | 5100     | LF   | \$115.00       | \$586,500     |
| 155th Street - Oil Creek to Fox Ridge          | Paved Shoulder           | 8200     | LF   | \$115.00       | \$943,000     |
| 58 Highway - Bel Rey to Fox Ridge              | Sidepath (sidewalk exp.) | 5900     | LF   | \$65.00        | \$383,500     |
| North Ave - Prospect to Holmes                 | Paved Shoulder           | 5400     | LF   | \$115.00       | \$621,000     |
| <b>Vegetation Trail</b>                        |                          |          |      |                |               |
| Pacific and Park                               | Off-street shared        | 5750     | LF   | \$190.00       | \$1,092,500   |
| Harris Ave                                     |                          |          |      |                |               |
| 162nd to 159th                                 | Striped Lane             | 2460     | LF   | \$30.00        | \$73,800      |
| 159th to 155th                                 | Paved Shoulder           | 2740     | LF   | \$115.00       | \$315,100     |
| 162nd - Oil Creek to Allen                     | Paved Shoulder           | 2500     | LF   | \$115.00       | \$287,500     |
| Allen - 162nd to 155th                         | Paved Shoulder           | 4500     | LF   | \$115.00       | \$517,500     |
| Floodway spur - KC Southern to Cambridge       |                          | 2700     | LF   | Developer Paid |               |
| Floodway spur - Cambridge to 187th             |                          | 5850     | LF   | Developer Paid |               |

| Project Designation |  | Type                     | Quantity | Unit | Unit Cost   | Extended Cost |
|---------------------|--|--------------------------|----------|------|-------------|---------------|
| <b>3.3</b>          | <b>Striped Lane Trails</b>                     |                          |          |      |             |               |
|                     | <b>North/South Side Road</b>                   |                          |          |      |             |               |
|                     | S. Scott - Cambridge to North Ave              | Striped Lane             | 5290     | LF   | \$30.00     | \$158,700     |
|                     | North Ave - Scott to Westover                  | Sidepath (sidewalk exp.) | 2750     | LF   | \$65.00     | \$178,750     |
|                     | Westover - North to 155th Street               | Striped Lane             | 10660    | LF   | \$30.00     | \$319,800     |
|                     | 155th Street - Westover to US 71               | Paved Shoulder           | 4500     | LF   | \$115.00    | \$517,500     |
|                     | <b>Markey Parkway Extension</b>                |                          |          |      |             |               |
|                     | Y. Highway to Markey Park                      | Striped Lane             | 8730     | LF   | \$30.00     | \$261,900     |
|                     | Intersection Improvements                      |                          | 3        | EA   | \$5,000.00  | \$15,000      |
|                     | <b>East/Belt Road</b>                          |                          |          |      |             |               |
|                     | Bel Ray - North Ave to round-about             | Striped Lane             | 2550     | LF   | \$30.00     | \$76,500      |
|                     | Bel Ray - Roundabout to Spring Valley          | Striped Lane             | 500      | LF   | \$30.00     | \$15,000      |
|                     | Spring Valley - Bel Ray to 163rd Street        | Sidepath (sidewalk exp.) | 2600     | LF   | \$65.00     | \$169,000     |
|                     | 163rd - Spring Valley to Somerset Park         | Sidepath (sidewalk exp.) | 2200     | LF   | \$65.00     | \$143,000     |
| <b>3.4</b>          | <b>Sidepath Trails</b>                         |                          |          |      |             |               |
|                     | <b>Schoolland Park Connections in Westfall</b> |                          |          |      |             |               |
|                     | North Ave - Westover to Prospect               | Sidepath (sidewalk exp.) | 6300     | LF   | \$65.00     | \$409,500     |
|                     | North Ave - Scott to Markey Parkway            | Sidepath (sidewalk exp.) | 6400     | LF   | \$65.00     | \$416,000     |
|                     | Cleveland - Cambridge to Sunrise               | Paved Shoulder           | 2650     | LF   | \$115.00    | \$304,750     |
|                     | Sunrise to North Ave                           | Sidepath (sidewalk exp.) | 2650     | LF   | \$65.00     | \$172,250     |
|                     | Cambridge - Cleveland to Cedar                 | Paved Shoulder           | 5200     | LF   | \$115.00    | \$598,000     |
|                     | Cedar - Cambridge to North Ave                 | Paved Shoulder           | 5750     | LF   | \$115.00    | \$661,250     |
|                     | Spur to Memorial                               | Paved Shoulder           | 600      | LF   | \$115.00    | \$69,000      |
|                     | Monte Verde                                    | Paved Shoulder           | 2600     | LF   | \$115.00    | \$299,000     |
|                     | Trailhead in Downtown                          |                          | 1        | EA   | \$7,500.00  | \$7,500       |
|                     | Trailhead at Memorial Park                     |                          | 1        | EA   | \$7,500.00  | \$7,500       |
|                     | Trailhead at Country View                      |                          | 1        | EA   | \$20,000.00 | \$20,000      |
|                     | <b>North/Venue Sidepath</b>                    |                          |          |      |             |               |
|                     | North Avenue - Y. Highway to Bel Ray           | Sidepath (sidewalk exp.) | 5600     | LF   | \$65.00     | \$364,000     |
|                     | Cedar to US71                                  | Striped Lane             | 1275     | LF   | \$30.00     | \$38,250      |
|                     | US 71 overpass/interchange                     | Sidepath (sidewalk exp.) | 1190     | LF   | \$65.00     | \$77,350      |
|                     | US 71 to Bel Ray                               |                          | 8        | EA   | \$5,000.00  | \$40,000      |
|                     | Intersection Improvements                      |                          | 1        | EA   | \$50,000.00 | \$50,000      |
|                     | US 71 Interchange Improvements                 |                          |          |      |             |               |

## **PART 5 - Funding sources**

There are a variety of funding options available to the City of Belton. This section will summarize each and provide additional contact and application information.

### **5.1 Outdoor Recreation Grants**

This program is administered by the Missouri Department of Natural Resources' (DNR) Division of State Parks and provides two different grant programs. The most applicable for the Belton Trail system is the Recreational Trails Program (RTP). This grant program is federally funded through the Federal Highway Administration and administered by the Missouri DNR. The grants are to be used for motorized or non-motorized trail development or renovation and preservation. They require a minimum 20% match for projects up to \$100,000. More information can be found at [www.mostateparks.com/grantinfo.htm](http://www.mostateparks.com/grantinfo.htm) or via telephone at 1.800.334.6946.

### **5.2 Land and Water Conservation Fund (LWCF) Grants**

This federally-funded and state-administered fund has distributed more than \$14.4 billion dollars in over 40,000 grants for outdoor recreational projects over the last 40 years. These grants require a 55% match and the projects must be maintained for a period of 25 years. This program is also administered by the Missouri DNR and contact information is provided above.

### **5.3 MoDOT Enhancement Projects**

The Missouri Department of Transportation provides funding for twelve different Transportation Enhancement activities. Of particular note are the following:

- Pedestrian and Bicycle Facilities – funding for new or reconstructed sidewalks, walkways, curb ramps, bike-lane striping, wide paved shoulders, bike parking, bus racks, off-road trails, bike and pedestrian bridges and underpasses.
- Conversion of Abandoned Railway Corridors to Trails – funding for acquiring railroad rights-of-way, planning, designing and constructing multi-use trails; and developing rail-with-trail projects.

Several of the component trails within this masterplan would meet the eligibility requirements to be partially funded through this program. More information can be found at the following link:

<http://www.modot.org/services/community/EnhancementFunding.htm>

#### **5.4 Missouri Safe Routes to School Grants**

This program provides funding for safer biking and walking accommodations for children in grades K-8 and is administered by MoDot's Highway Safety Division and tailors grants to two areas; behavioral (such as public awareness, outreach, traffic education and enforcement) and infrastructure (including engineering and construction). Additional information can be found at the following link:

<http://www.modot.mo.gov/safety/SafeRoutestoSchool.htm>

#### **5.5 Community Development Block Grants**

This program offers funds to small Missouri communities to improve local facilities, address critical health and safety concerns and develop a greater capacity for growth. Many projects in the Master Plan would fall into that category. The program is administered through the Missouri Department of Economic Development and additional information can be found at the following web link:

<http://go.missouridevelopment.org/cdbg>

## **PART 6 - Community Involvement and Implementation**

### **6.1 Adoption by Planning**

In order for this Master Plan to function as a true planning document, the Parks Board should consider a resolution to officially adopt it (if it meets the expectations and goals of the Board) and forward to the City Council for adoption as well. This will ensure that Planning will incorporate the recommendations into future improvement projects and Capital Improvement budgeting.

### **6.2 Revised Development Ordinance**

Along with adoption by Planning, a revision to the Belton development/subdivision ordinance can also assist in the implementation of the Master Plan's recommendations. The revised ordinance should employ a 'carrot and stick' approach that will provide incentive for progressive/forward-thinking developers along with a fee structure to ensure that all new development contributes to Belton's trail system.

The 'carrot' part of the ordinance should offer developers several different options. For properties away from planned floodway/off-street trails, the new ordinance could allow the developer to establish the bike route through the neighborhood creating a wide curb lane on those streets. The developer would then be allowed to reduce the pavement width for other side streets. Similarly, if the developer wished to create an off-street trail through the neighborhood, he/she should be allowed to eliminate sidewalks along one side of the street. If the development is bisected by an off-street trail, the developer would be required to construct that portion of it, but the new ordinance could offer to engage the city in a partnership agreement where the developer would not be responsible for any maintenance after the first year or perhaps the City could offer to clear and grub the trail route (giving the city the ability to plan the route) to help offset the cost to the developer.

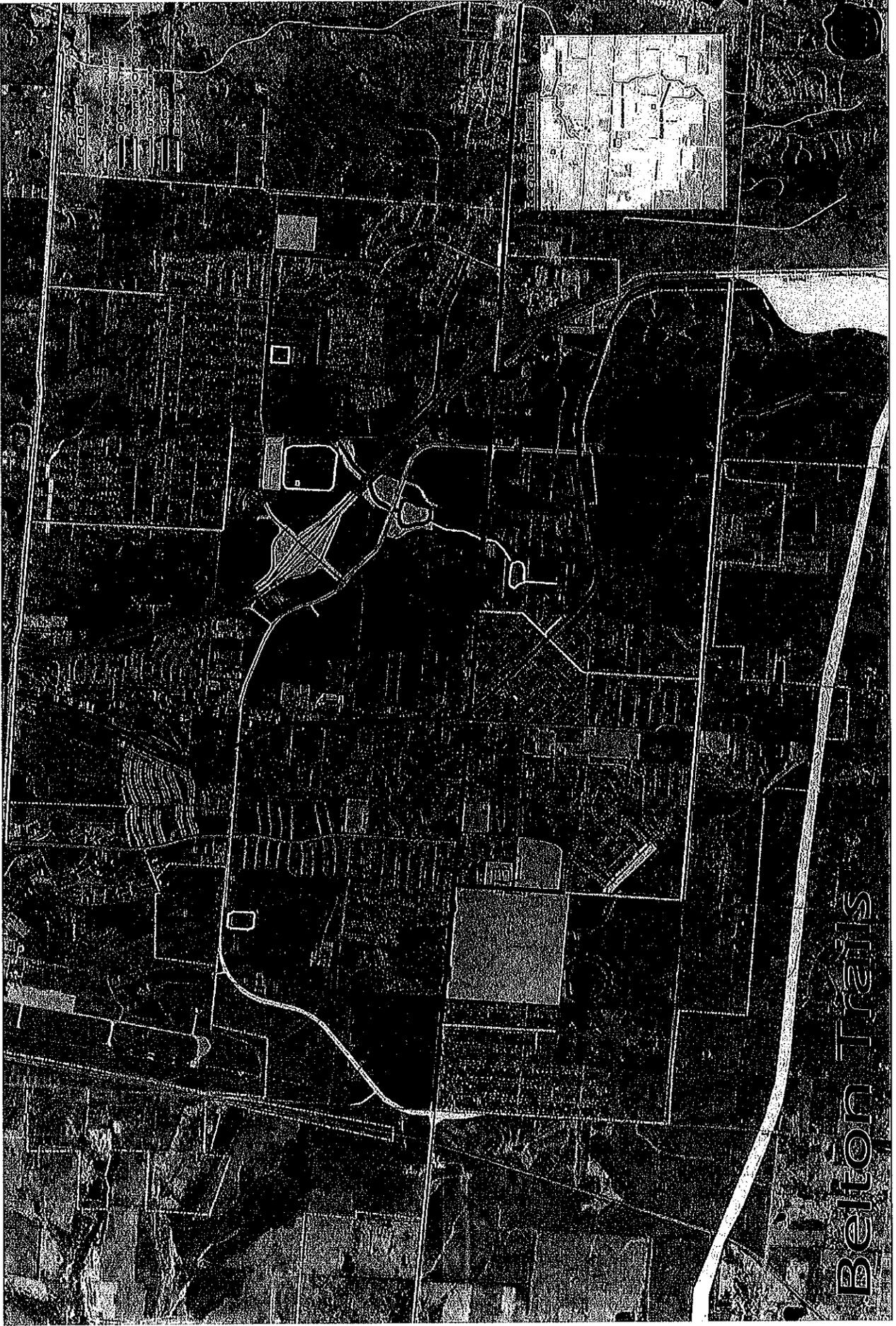
If developers choose to ignore trails within their project(s) and would rather choose the 'stick', then the new ordinance should establish a fee structure whereby the City of Belton can receive some income to help fund trails in other locations. This fee should not be excessive to the point where developers choose to build somewhere else, but it should be balanced enough that they would voluntarily choose to build a trail in their project and link to Belton's trails. The basis of the fee should be the number of residents that are anticipated to live in the project (at completion) or, for commercial projects, the number of users/customers that are anticipated. The City should then estimate the number of miles that those residents/users will put on City streets that could have gone on trails instead and establish the maintenance cost (per mile) incurred. That cost would then be charged to the developer if they choose to ignore trails completely.

These approaches would undoubtedly require additional vetting by Development, Engineering, Parks and Recreation and the Board of Aldermen before actually being implemented but they are a good place to begin discussions.

## **PART 7 - Conclusion**

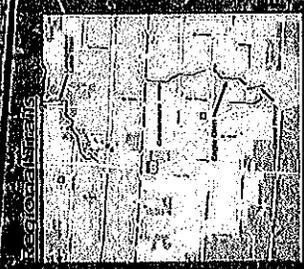
The creation of this Master Plan has been an exciting and challenging project because of the potential contained within it. A project of this scale can affect tens of thousands of individual lives in a positive way. Trails provide so much to a community, giving access and opportunity to all ages of residents. It is thrilling to think that a section of trail may give a retiree an opportunity to bird watch at sunrise, give a young family the opportunity to bike to school together a few hours later, give a youth the ability to stay after school for enrichment programs without being dependent on a ride, and give everyone the chance to enjoy the outdoors in many different ways.

It is our sincere hope that residents of Belton will look back on the summer of 2008 and say 'that's when everything changed' and mean that it changed for the better.



Belton Trails

Legend  
Property Lines  
Trails  
Streets



**SPECIAL USE PERMIT**

**USED CAR LOT**

**604 N. SCOTT**

**BELTON MISSOURI - PLANNING COMMISSION  
REGULAR MEETING – CITY COUNCIL ROOM  
CITY HALL ANNEX, 520 MAIN STREET  
MONDAY, AUGUST 17, 2009 – 7:00 P.M.**

---

*STAFF REPORT: Robert G. Cooper, City Planner*

**CASE #SUP09-15**

***Request:*** Special Use Permit to allow a used car lot to operate in a C-2 (General Commercial) District.

***Location:*** The west side of N. Scott Avenue between King Street and Myron Avenue. The street address is 604 N. Scott Avenue, Suite AA.

***Legal Description:*** Kingsland, Lot 7, Tract 1

***Owner / Applicant:*** Marion Biondo (building owner) / Hariom Manohar (applicant)

***Size of Site:*** 130-ft. x 200-ft. (26,000-sq. ft.) / 0.60-acre (Lot 7)

***Sales Lot Surface Area:*** 60-ft. x 60-ft. (3,600 sq. ft.)

***Existing Zoning / Land Use:*** C-2 / General Commercial

***Proposed Use:*** Used Car Lot

***Surrounding Zoning / Land Use:***

North: C-2 / General Commercial  
East: C-2 / General Commercial  
South: C-2 / General Commercial  
West: C-2 / General Commercial

***Comprehensive Plan:*** Commercial

**Nature of Current Request**

The applicant, Hariom Manohar, has contacted the City to gather information on what requirements are needed to open a used car lot. Pursuant to Appendix A of the Zoning Ordinance, a special use permit is required for all new used car lots located within a C-2 (General Commercial) zoning district.

## **STAFF REPORT**

### **Welfare and Convenience of the Public**

Staff believes that by permitting a used car lot in the proposed location would contribute greatly to an ongoing proliferation of used car lots along the North Scott corridor, which appears to staff, could have a negative influence on the welfare and convenience of the general public.

### **Injury to Surrounding Property**

Staff believes that the proposed use will not have an adverse affect on the immediate surrounding or abutting properties due in part to the similarity in use type and intensity.

### **Domination of the Neighborhood**

The site on North Scott Avenue is a commercial building with multiple tenant users, primarily auto repair shops. The space (Suite AA) which will be used by the applicant is located at the south end of the building.

It appears to staff, the proposed use as a used car lot will add to the predominance of that particular use within the neighborhood.

### **Code Citation**

In accordance with Article IV, Section 7(15) of the Zoning Ordinance, "one (1) parking space for each 3,000-sq. ft. of open sales lot area devoted to the sale, display and rental of such vehicles, plus one (1) parking space for each employee".

### **Off-Street Parking / Access**

The Zoning Ordinance requires, "one (1) parking space for each 3,000-sq. ft. of open sales area". Based on the total size of the lot, it appears there will be ample parking.

There is a single-point access from North Scott Avenue, which is the primary source of ingress/egress to the site, with a driving aisle of 24-ft. The other uses of the adjoining tenant are basically auto repair shops with their own customer traffic and typically, used car lots produce large volumes of traffic.

Taking into consideration this site has multiple tenants which produce high volumes of vehicle traffic with a single-point of access for ingress and egress, poses a safety hazard for motorists and pedestrians traveling along North Scott Avenue and would not be a suitable location for a used car lot.

**NOTE:** On July 9, 2009, the applicant Harium Manohar, applied for an occupational license to operate a used car lot at 604-AA North Scott Avenue. On July 15, 2009, Mr.

Manohar met with the Development Review Committee (DRC) to discuss the new city ordinance which requires new used car lot applicants to obtain a special use permit with Planning Commission review. It was explained to Mr. Manohar that the occupational license can not be approved until the Planning Commission approved the special use permit and that no business activity can take place on site until final approval.

### **Staff Recommendation**

Should the Planning Commission wish to approve the Special Use Permit, the following conditions shall apply:

1. That no Certificate of Occupancy is issued for Belton Value Auto until the site has had a final inspection for compliance with applicable city codes.
2. That the Special Use Permit be renewed by the Planning Commission in one (1) year to ensure compliance.
3. The sales display area shall consist of no more than five (5) vehicles as depicted in Exhibit 'A'.
4. No display vehicle shall obstruct visibility, overhang the sidewalk, or parked in a manner which would create a hazardous condition.
5. No material, supplies, or merchandise shall be stored outdoors.

### **Planning Commission Alternatives**

The Planning Commission has the following options available in the consideration of this application:

1. Approve the application as submitted upon finding that the requirements of Section 2, Special Use Permits, of the Belton Code have been satisfied.
2. Approve the application subject to specified conditions.
3. Table the application if additional information is needed, such as time of use or other related factors.
4. Deny the application if the required findings cannot be made or if the proposed use is found to be incompatible with the neighborhood.

### **Attachments:**

- 1) Vicinity Map
- 2) Aerial Photograph
- 3) Exhibit 'A'

Car 1

Car 2

Car 3

Car 4

Car 5

OWNERS  
Car

DOOR GARAGE

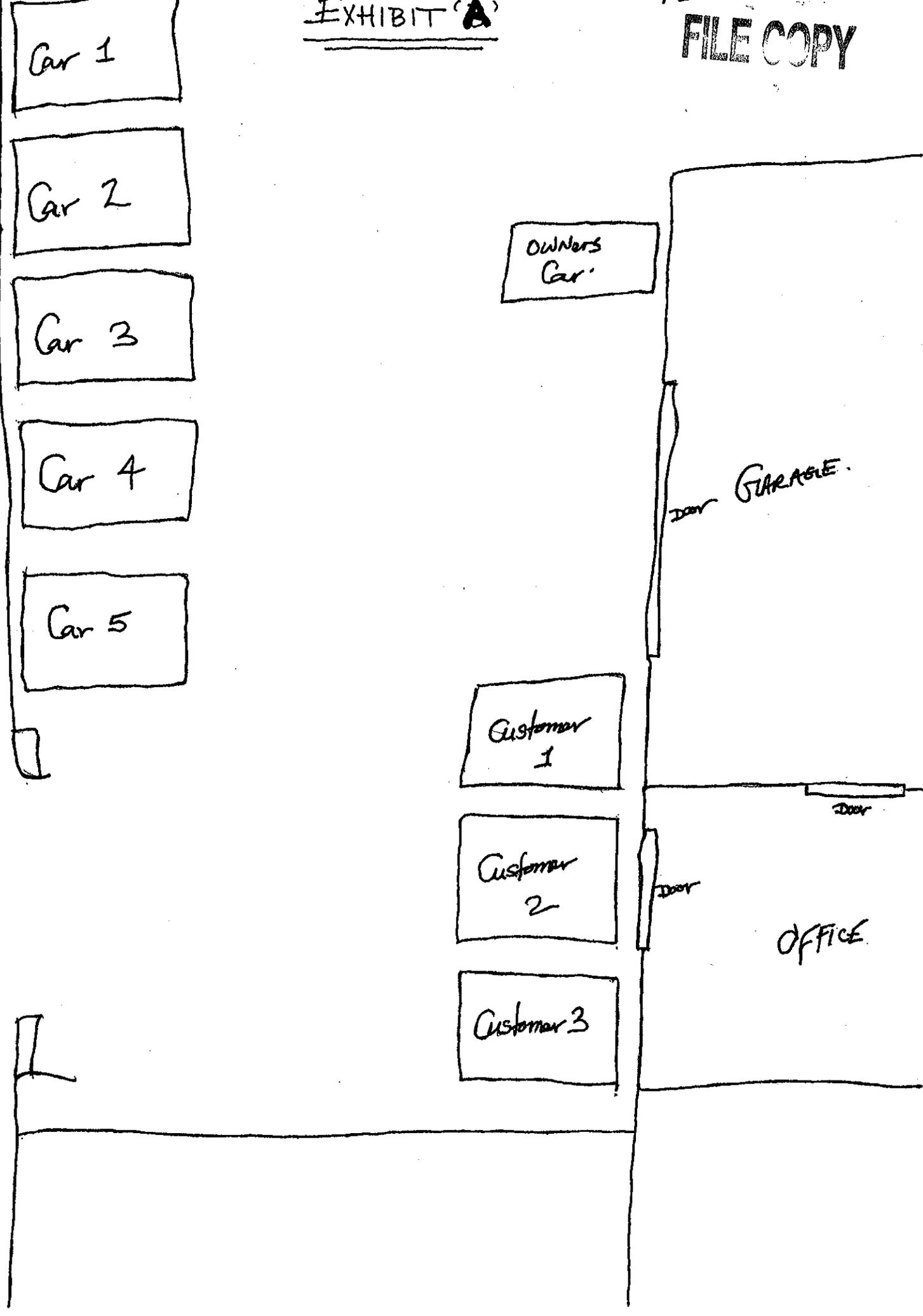
Customer  
1

Customer  
2

Customer  
3

DOOR  
OFFICE

N. Scott





C-2P

I-1P

I-1

MYRON AVE

NORTH SCOTT AVE

SUBJECT SITE

KING ST

C-2

R-1

RAINBOW DR

MULBERRY ST

MAPLE ST

ELM ST

TURNER RD

HAWTHORNE CT

SCOTT AVE

R-3

AIRWAY LN

BIRCH ST

HAWTHORNE DR

BERRY ST

BERRY AVE

UNIFIED  
DEVELOPMENT  
ORDINANCE

DATE: August 17, 2009  
TO: Planning Commission  
FROM: Robert G. Cooper, City Planner  
Jay Leipzig, Planning & Community Development Director  
RE: **DISCUSSION: UNIFIED DEVELOPMENT ORDINANCE / Performance Standards, Subdivision Design and Regulations, and Signs.**

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***Purpose of Meeting:***

*The purpose of the meeting is: 1) to discuss and establish a comprehensive development code as a Unified Development Ordinance. This meeting will be dedicated to discussing use specific performance standards, Subdivision Design and Regulations, and Signs..*

**STAFF REPORT**

**Signs**

**Purpose**

The purpose of this article is to achieve balance among the following differing, and at times, competing goals:

- A. to encourage the effective use of signs as a means of communication for businesses, organizations and individuals in Belton;
- B. to provide a means of way-finding in the community, thus reducing traffic confusion and congestion;
- C. to provide for adequate business identification, advertising, and communication;
- D. to prohibit signs of such excessive size and number that they obscure one another to the detriment of the economic and social well-being of the City of Belton;
- E. to protect the safety and welfare of the public by minimizing hazards to pedestrian and vehicular traffic;
- F. to preserve property values by preventing unsightly and chaotic development that has a blighting influence upon the community;
- G. to differentiate among those signs that, because of their location, may distract drivers on public streets and those that may provide information to them while they remain in their cars but out of active traffic;
- H. to minimize the possible adverse effects of signs on nearby public and private property; and to implement the goals and objectives of the Growth Management Plan

**Applicability**

**I. Generally**

The regulations of this chapter apply to all signs within the corporate limits of Belton unless otherwise expressly stated.

## **J. Permits Required**

1. Except as otherwise provided in this chapter, it is unlawful for any person to erect, construct, enlarge, move or convert any sign in the City of Belton, Missouri or cause the same to be done without first obtaining a sign permit from the Community Development Director; or designee.
2. Permits are not required for:
  - a. replacing or altering the message on a changeable copy sign; or
  - b. painting, repairing, cleaning or maintaining a sign unless a structural change is made or the alteration or painting is being done due to a change in ownership of the business or premises.

Permits will be issued in accordance with the sign permit procedures of this code section.

## **K. Signs Exempt from Regulation**

1. The following signs are exempt from regulation under this chapter:
  - a. traffic or other municipal or informational signs in rights-of-way; legal notices; Parks and Recreation Board signs or notices; railroad crossing signs; danger, warning and such temporary, emergency or non-advertising signs necessary for traffic control or as may be approved by the City Council;
  - b. memorial signs or tablets, names of buildings and date of construction or establishment when cut into any masonry surface;
  - c. signs inside buildings, inside windows or painted on windows or on glass portions of doors of buildings;
  - d. banners on public utility pole brackets placed by public entities for public events or campaigns, such as "Welcome to Belton" banners; and
  - e. signs carried by a person.
2. These exemptions do not relieve the sign owner or installer from the responsibility for sign location, construction, maintenance, appearance and removal.

## **L. Signs Allowed Without a Permit**

The following signs are allowed without a permit but are subject to all other applicable regulations of this chapter:

1. real estate signs;
2. real estate directional signs;
3. garage sale signs;
4. direction signs for private engagements;
5. political signs;
6. temporary private event signs;
7. incidental signs;
8. construction signs; and
9. non-commercial message signs.

## M. Prohibited Signs

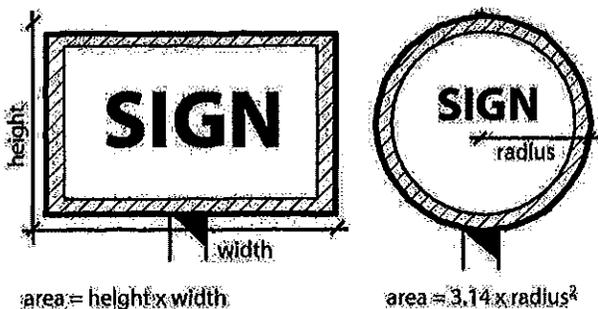
The following signs are prohibited:

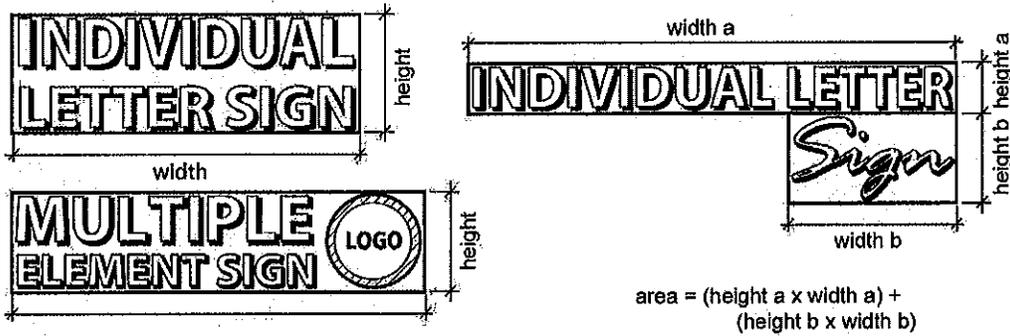
1. snipe signs;
2. vehicle signs;
3. portable signs;
4. any sign or other advertising structure displaying any obscene, indecent or immoral matter;
5. any sign that obstructs or is attached to a fire escape;
6. any sign that obstructs a window, door, opening required for legal ventilation, or any other opening; or prevents free passage from one part of the roof to another;
7. attention-attracting devices, electrical signs, displays or illuminated signs that may impair night vision, are a hazard to traffic or interfere with or conflict with traffic signals, whether inside or outside the building;
8. all signs in the public right-of-way or on public property, whether permanent or temporary, except signs installed by a government entity;
9. new pole signs; and
10. roof signs.

## Sign Measurement and Interpretation

### Measurement of Area of Individual Signs

The area of a sign face will be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. The area of a sign face does not include any supporting framework, bracing or decorative fence or wall when the fence or wall otherwise meets the regulations of this chapter and is clearly incidental to the display itself.

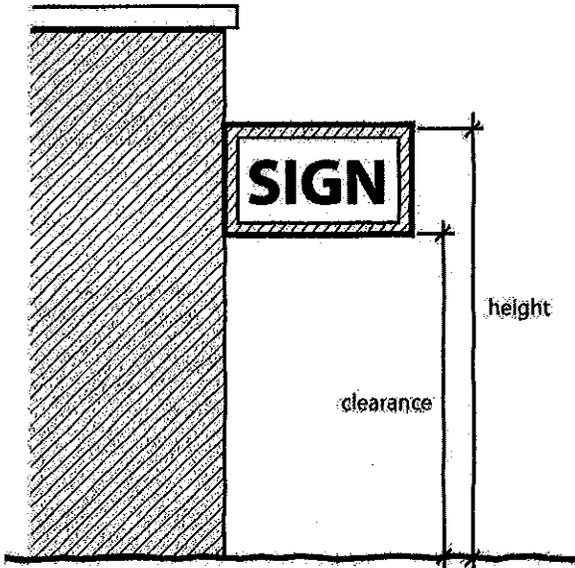




area=height x width

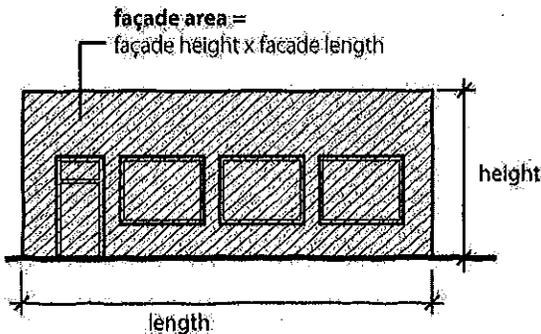
### Sign Height Measurement

The height of a sign will be computed as the distance from the highest point of the sign structure to the lowest point on the ground directly below the sign.



### Building Façade Area Measurement

Building façade area includes the entire area of a building wall, including doors, windows, recessed and projecting areas, and all other features, measured from the ground to the top of the roof, including architectural features.



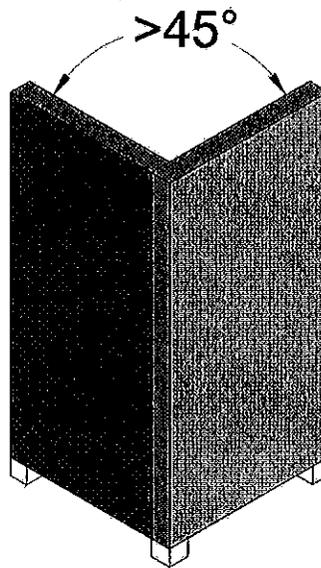
## N. Determination of Visibility or Legibility

1. Where this chapter requires a determination of “visibility” or “legibility,” the standard will be based on the eyesight of an adult eligible to receive a Missouri driver’s license (wearing any corrective lenses required by the license). Where the height of the person is material to the determination, the person will be presumed to be more than five feet and less than six feet tall.

In determining visibility of a sign from a residential property, it will be assumed that a two-story residence will occupy the property with second-story windows facing toward the sign

### Sign Face Separation

For the purposes of computing sign area, a single sign becomes two signs if there is an angle created between the two outer surfaces of the sign greater than forty five (45) degrees.



## Standards of General Applicability

### O. Materials and Construction

1. Except as otherwise expressly stated in this chapter, all permanent signs, sign structures and non-structural trim must be constructed of approved combustible or non-combustible materials.
2. Letters, figures, characters or representations in cutout or irregular form maintained in conjunction with, attached to or superimposed upon any sign must be safely and securely built or attached to the sign structure.
3. Illuminated signs produced in quantity (as opposed to signs custom-built for specific locations) must be constructed in accordance with the “Standards for Electric Signs” (U.L. 48) of the Underwriters’ Laboratories, Inc.

4. All electrical signs, either temporary or permanent, must be connected to permanent electrical service installed according to the requirements of the electrical code. All wiring for newly constructed detached signs must be underground. Temporary signs may be exempted from this underground wiring requirement by the Building Official.
5. Any sign, other advertising structure, marquee, canopy or awning as defined in this chapter must be designed and constructed to withstand a wind pressure of not less than 25 pounds per square foot of net surface area; and must be constructed to receive dead loads as required in the building code and/or other City ordinances.
6. Any sign drawing submitted with a sign permit application for a monument or projecting sign shall include the signature and seal of the design professional.

**Illumination**

Illumination of signs is permitted only as specified in this code.

**P. Obstructions**

1. All signs must comply with the intersection visibility standards.
2. No sign may interfere with, block or obstruct:
  - a. any vehicular entrance or exit to a parking lot;
  - b. any vehicular access way;
  - c. any parking space; or
  - d. any pedestrian sidewalk, path or crosswalk.

**Q. Landscaping**

All monument signs for new developments must be landscaped.

**Non-commercial Messages**

Any sign allowed under this chapter may contain, in lieu of any other message or copy, any lawful noncommercial message, so long as the sign complies with the size, height and other requirements of this chapter.

**Master Signage Plan**

A master signage plan shall be submitted with any site plan application for new developments. The signage plan should generally depict location and design of monument and wall signs. The actual tenant name does not need to be identified on the signage plan.

**Sign Types Permitted**

Signs are permitted in each zoning district as follows

| Zoning District | Sign Type    | Maximum Number Permitted | Maximum Size (square feet) | Maximum Height | Illumination Permitted | Additional Requirements   |
|-----------------|--------------|--------------------------|----------------------------|----------------|------------------------|---|
|                 | Freestanding | 1                        | 64                         | 12             | direct or indirect     | Signs with a commercial message are only permitted upon property that has |
|                 |              |                          |                            |                | direct or indirect     |   |

|                            |              |   |                       |     |    |                    |   |
|----------------------------|--------------|---|-----------------------|-----|----|--------------------|---|
| A                          | Wall         | 3 per establishment                                   | 10% of façade area    | n/a |    |                    | approval for a public, civic or commercial use.   |
|                            | Temporary    | 1 per street frontage                                 | 64                    | 12  |    | not permitted      |   |
| RE, RR, R-3, R-3A and R-3B | Freestanding | 1   | 32                    | 6   |    | indirect           | Signs with a commercial message are only permitted upon property that has approval for a public, civic or commercial use.   |
|                            | Wall         | 3 per establishment                                   | 10% of façade area    | n/a |    | direct or indirect |   |
|                            | Temporary    | 1   | 32                    | 6   |    | not permitted      |   |
| R-1A, R-1, R-1.5, and R-2  | Freestanding | 1   | 16                    | 6   |    | not permitted      | Signs with a commercial message are only permitted upon property that has approval for a public, civic or commercial use.   |
|                            | Wall         | 3 per establishment                                   | 10% of façade area    | n/a |    | direct or indirect |   |
|                            | Temporary    | 1   | 16                    | 6   |    | not permitted      |   |
| PO and C-1                 | Freestanding | 1   | 32                    | 6   |    | direct or indirect |   |
|                            | Wall         | 3 per establishment, plus 1 under canopy              | 10 of façade area     | n/a |    | direct or indirect |   |
|                            | Temporary    | 1 per establishment                                   | 32                    | 6   |    | not permitted      |   |
| C-2, C-3, BP, M-1 and M-2  | Freestanding | Monument, individual building with 1 tenant           | 1                     | 32  | 6  | direct or indirect |   |
|                            |              | Monument, individual building 2-4 tenants or less     | 1                     | 48  | 6  | direct or indirect |   |
|                            |              | Monument, shopping center under 100,000 square feet   | 1                     | 80  | 15 | direct or indirect |   |
|                            |              | Monument, shopping center 100,000 square feet or more | 1 per street frontage | 300 | 30 | direct or indirect |   |
|                            | Wall         | 3 per establishment, plus 1 under canopy              | 10% of façade area    | n/a |    | direct or indirect | Signs advertising special services count against the allowable total number of signs and sign area (e.g. pharmacy sign on a discount store). Wall signs are permitted on any side of a building. See also Section 435.060A and B. |
|                            | Temporary    | 1 per establishment                                   | 32                    | 6   |    | not permitted      |   |

### Additional Standards for Specific Sign Types

#### Wall Signs

A wall sign that is attached to a masonry wall shall be secured by means of anchors, bolts and expansion screws, masonry nails or similar connectors. A wall sign that is attached to a wall of wood may be anchored with wood blocks and screws.

## **R. Projecting Signs**

1. Projecting signs may not project more than five-and-a-half feet beyond the face of the building.
2. Projecting signs must be a minimum of 10 feet above the level of any sidewalk from the bottom of the sign.
3. Any projecting sign within 25 feet of a street or alley intersection must be a minimum of 14 feet above the sidewalk from the bottom of the sign.

## **S. Under Canopy Signs**

Under canopy signs of greater than four (4) square feet must be rigidly mounted, and there must be 10 feet clearance between the base of any under canopy sign and the sidewalk.

## **T. Freestanding Signs**

1. All permanent freestanding signs must be monument signs supported with a base that is at least 80 percent of the width of the sign at its widest point.
2. Permanent freestanding signs are not permitted within any utility or drainage easement.
3. Signs shall be set back a minimum of ten (10) feet from all property lines.

## **U. Off-premise Signs**

1. Off-premise signs are permitted only along state and federal highways.
2. No off-premise sign may be located within 1,000 feet of any existing off-premise sign.
3. A letter of authorization by the property owner is required for application of any off-premise sign.
4. Site plans and sign permits are required for off-premise signs.

## **V. Subdivision Entrance Signs**

Subdivision entrance signs may be located at entrances to the subdivision and shall be within a sign easement, common area, or private property. The developer or property owners association is responsible for the maintenance and upkeep of the identification signs. Location of signs shall be subject to the provisions of this code as well as other applicable ordinances. Such signs shall be monument signs.

## **W. Incidental Signs**

Incidental signs are permitted subject to the following limitations:

1. Incidental signs used for directing traffic shall be monument signs and are subject to the following limitations:
  - a. are only allowed for businesses with drive-thru facilities;
  - b. shall not exceed nine square feet in area or three feet in height; and
  - c. the maximum number and location of signs shall be determined by the Planning and Zoning Commission.

2. An incidental sign that is used for ordering products, such as a drive-thru menu board, shall not exceed 16 square feet in area or eight feet in height.
3. No commercial message shall be included on any incidental sign, except upon a drive-thru menu board.
4. All other incidental signs must be wall signs and shall not exceed nine square feet in area.

#### **X. Electronic Message Center Signs**

Electronic message center signs are permitted subject to review by special use permit.

1. Not allowed as part of a temporary sign.
2. Any portion of the message or image must have a minimum duration on screen of eight seconds. Exception to this requirement is made for a sign that displays time and temperature.
3. The change from one message to the next shall not take more than one second and shall not involve flashing or movement of text or images.
4. In case of malfunction, the sign display shall be defaulted to a blank screen.
5. Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 7,000 NITS during daylight hours and 2,500 NITS between dusk and dawn and that the intensity level is protected from end-user manipulation.
6. The sign shall not display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver, or result in a nuisance to the driver.

#### **Temporary Signs**

##### **Y. General**

1. The following signs may be installed as temporary signs:
  - a. Real estate
  - b. Real estate directional
  - c. Construction
  - d. Political
  - e. Public event
  - f. Private event
  - g. Fireworks tent
  - h. Garage sale
  - i. Incidental
  - j. Peddler's
  - k. Vehicle
2. Temporary signs may be installed as a freestanding sign or a wall sign.

## **Z. Permits**

1. A temporary sign permit and applicable fee is required prior to the placement of any temporary sign, except for temporary private event signs such as garage sale signs, directional signs for private engagements, etc.
2. Except as otherwise provided by this chapter, a maximum of three temporary sign permits will be issued per establishment per calendar year, for a maximum of 30 days each.
3. A period of 60 days must elapse between the time a temporary permit expires and a new permit can be issued.

### **AA. Size**

Except as specifically provided elsewhere in this chapter, no temporary sign shall exceed six feet in height or 32 square feet in area.

### **BB. Location**

Temporary signs must be located entirely on private property. Except as specifically otherwise provided elsewhere in this section, all temporary signs must be located on the premises where the advertised goods, service or event is available.

### **CC. Number**

Except as specifically otherwise provided elsewhere in this section, only one temporary sign is permitted per business at any one time.

### **DD. Real Estate Signs**

1. Real Estate signs offering a property for sale or lease may be erected on private property subject to the following limitations:
  - a. Sign must be located on the property for sale/lease.
  - b. Only one sign is permitted per street frontage
  - c. Sign may be erected or installed on a property in addition to any other sign permitted by this chapter.
  - d. Sign shall be removed if the property is no longer offered for sale or lease.
2. Real estate directional signs directing traffic to a property are subject to the following limitations:
  - a. Sign may not be installed until 5:00 p.m. on Friday and must be removed by 8:00 a.m. on the following Monday.
  - b. Permission from the property owner upon whose property the sign is erected or installed must be obtained.
  - c. Only one sign is permitted per property directing traffic to another property.
  - d. Maximum size permitted is six square feet; maximum height permitted is four feet.
  - e. Signs shall not be illuminated.

#### **EE. Construction Signs**

Construction signs may be erected on private property subject to the following limitations:

1. No limit on the number of signs permitted.
2. No sign shall exceed 32 square feet in area or 10 feet in height.
3. All signs shall be removed prior to the issuance of a certificate of occupancy.
4. Signs for property development shall be removed prior to the acceptance of any public improvements.
5. Permitted construction signs may be erected or installed on a property in addition to any other sign permitted by this chapter.

#### **FF. Political Signs**

Political signs may be erected on private property as follows:

1. One political sign per candidate or ballot issue is permitted per street frontage on a lot with permission of the property owner.
2. Political signs shall be removed within seven days after the election.
3. The maximum size of any political sign shall be 32 square feet.
4. No political sign shall be installed within the right-of-way.

#### **GG. Temporary Public Event Signs**

Temporary signs for special events for public purpose, charitable, religious, not-for-profit athletic associations or fraternal organizations are permitted, subject to the following limitations:

1. a maximum of 18 signs with a maximum size of six square feet are allowed per event;
2. no more than six signs may be placed on a single parcel of land;
3. no public event sign shall be located within the right-of-way;
4. such signs may not be placed earlier than 14 days prior to the event and must be removed within three days of the event; and
5. a sign permit application must be completed.

#### **HH. Temporary Private Event Signs**

Temporary signs such as garage sale signs, directional signs for private engagements, etc. shall:

1. not exceed two feet in height by three feet in width;
2. not be placed more than 24 hours prior to the date of the event; and
3. be removed immediately following the sale or event.

#### **II. Fireworks Tent Signs**

Each fireworks tent is allowed one on-site, double-faced sign with a maximum area of 32 square feet and a maximum height of six feet.

### **Inflatable Signs**

Inflatable signs are only permitted upon approval of an inflatable sign permit.

### **Illumination of Signs**

- JJ. Signs may be illuminated as permitted in this code and other provisions of this chapter. The lighting for any sign that would be visible from any residentially zoned property shall be designed so that no direct glare from any light source is focused, beamed or directed at such property.
- KK. Flashing lights, rapidly changing or intermittent-type illumination, rotating beams, or illumination resembling emergency lights is prohibited for the illumination of signs.
- LL. The electric wiring for all illuminated signs must be located underground.
- MM. An electrical permit shall be obtained for any illuminated sign.

### **Maintenance**

- NN. All signs, together with all their supports, braces, guys and anchors, must be kept in good repair and shall maintain a clean appearance and be in a safe condition.
- OO. Any sign that is broken, has peeling paint, intermittent lighting, visible rust, or is not maintained in an upright and plumb fashion shall be subject to the enforcement provisions.

### **Removal of Abandoned and Illegal Signs**

- PP. Any sign that provides notice of a temporary public or private event or any other temporary purpose that has occurred shall be deemed to have been abandoned.
- QQ. Any sign that fails to meet the maintenance requirements of this chapter shall be deemed to be abandoned.
- RR. Except as specifically provided elsewhere in this chapter, any sign placed within the City right-of-way shall be considered an illegal sign.
- SS. Abandoned and illegal signs shall be subject to the enforcement provisions.

### **Conditional Use Permits**

A request to install a sign that is allowed by this chapter but not in conformance with the standards of this chapter may be filed as a Conditional Use Permit.

### **Inflatable Sign Permit**

In order to install an inflatable sign, an application shall be filed for an Inflatable Sign Permit.

## **General Development and Performance Standards**

### **Building Design Standards**

#### **A. Applicability**

1. The regulations of this section apply to all commercial uses regardless of location, and to industrial uses within 300 feet of any street designated by the City as a collector, minor arterial or major arterial, or are within 500 feet of any residentially zoned property.
2. Large retail sales uses (on sites that include, in aggregate, 100,000 square feet or more of gross floor area) shall also comply with the regulations of this code. Where the regulations conflict with the requirements of this section, the more restrictive requirement will control.
3. The standards of this section apply to all walls of buildings. For purposes of this section, the front wall is the wall most parallel to the adjacent right-of-way. Where uncertainty exists as to the applicability of these regulations, a determination will be made by the Community Development Director.
4. Additions to existing buildings may be permitted by the Planning Commission where the addition does not meet strict compliance to this section. The purpose of this section is to continue a similar exterior architectural treatment where appropriate, and to reduce the appearance of an addition being added to the building.

#### **B. Building Location and Design**

1. Relationship to Adjacent Development
  - a. The form and proportion of buildings shall be consistent or compatible with the scale, form and proportion of existing development in the immediate area.
  - b. The rhythm of structural mass to voids, such as windows and glass doors, of a front façade should relate to the rhythms established in adjacent buildings.

#### **2. Façade Articulation**

- a. A façade consisting of a single undifferentiated plane with a single texture or color, excluding windows, doors or overhead doors, is prohibited.
- b. A minimum of 15 percent of the area of each façade shall be recessed, projected, or alternately staggered from the primary plane of the wall not less than one-foot in depth or projection, excluding windows, doors or overhead doors.
- c. Where large structures are proposed with overly long facades (walls), where one dimension exceeds the length of the perpendicular dimension, such as warehouses, building mass shall be articulated with

variations of a depth to create shadows visible from the nearest adjacent street in the building plane and parapet height and through the use of other unique design, landscape or site plan features.

- d. Overly long horizontal facades shall be articulated. Variation in the building plane, parapet height, materials, colors, entrance canopies and landscaping can be used to add articulation and variation to a façade. Parking lots along the façade can also relieve the plane horizontally through the use of landscaped fingers and islands containing trees and shrubs.
- e. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form and sitting shall be used to provide visual interest.
- f. Long expanses of overhead doors should be relieved by matching their color to the wall or trim, recessing the doors, or adding architectural details to diminish the dominance of the doors.

### **C. Building Materials**

#### **Masonry Construction**

A minimum of 50 percent of front and side façades shall consist of materials described by this sub-section.

Masonry construction shall include all masonry construction which is composed of solid, cavity, faced or veneered-wall construction, or similar materials approved by the Planning Commission.

Stone materials used for masonry construction may consist of granite, sandstone, slate, limestone, marble or other hard and durable all-weather stone. Ashlars, cut stone and dimensioned stone construction techniques are acceptable.

Brick material used for masonry construction shall be composed of hard-fired (kiln-fired), all weather common brick or other all-weather common brick or all-weather-facing brick.

Concrete finish or precast concrete panel (tilt wall) construction shall be exposed or aggregate, hammered, sandblasted or other finish as approved by the Planning Commission.

Stucco or approved gypsum concrete/plaster materials are also permitted.

#### **Glass Walls**

Glass walls shall include glass-curtain walls or glass-block construction. A glass-curtain wall shall be defined as an exterior wall which carries no floor or roof loads and which may consist of a combination of metal, glass and other surfacing materials supported in a metal frame.

## **Metal Walls**

The use of metal siding is permitted only in industrial districts and only for side and rear façades. The materials used on the front façade shall be incorporated into any façade visible from a public street to break up the monotony of those façades.

The use of corrugated panels, with a depth of less than three-quarter inch or a thickness less than U.S. Standard 26 gauge is prohibited.

The use of unpainted metal panels, excluding panels made from copper, weathering steel, or stainless steel, is prohibited. The color finish of metal panels and exposed fasteners shall have extended durability with high resistance to fade and chalk.

Corrugated metal façades shall be complemented with masonry, either brick, stone, stucco or split-face block. Architectural metal panels may be an acceptable substitute for masonry. Appropriate landscaping shall be used to complement and enhance a building's design, color and material.

### **D. Building Form**

1. The use of unusual shapes, color and other characteristics that cause new buildings to call excessive attention to them and create disharmony shall not be allowed.
2. Architectural design shall create visual interest through the use of different textures, complementary colors, shadow lines and contrasting shapes. The use of walls in a single color, with little detailing or completely blank, is discouraged;
3. Careful consideration of durable materials, proportions and shapes, emphasizing the importance of roofs as integral and embracing elements of the over-all design, is particularly important;
4. Evaluation of building materials shall be based on the quality of its design and relationship and compatibility to building materials in the immediate neighborhood; and
5. Architectural treatments (e.g., building materials, colors, facade design, roof lines, screening) shall be consistent and compatible on all sides. Treatment that is uniform on all sides will be deemed to meet the requirements of this principle. Adjacent land uses, visibility from public streets, use of screening devices (walls, fences, berms, landscaping) are criteria to be considered when varying this treatment. The applicant will have the burden of demonstrating the reasons for differing treatment on different sides (e.g., the need for truck access on one side and pedestrian access on another).

### **E. Mechanical Equipment Screening Requirements**

Mechanical equipment shall be screened according to the requirements of this code.

### **F. Site Design**

1. The form and proportion of buildings shall be consistent or compatible in scale, form, proportion, and design with others on the site.
2. Buildings shall connect to sidewalks and other pedestrian connections within the site and to adjacent sites.

3. Other site features must be reasonably compatible within the development, including signage materials or design and landscape location and design.
4. Parking must be arranged within the site in such a way that all areas of the site may be accessed safely by pedestrians.

**G. Maintenance**

The exposed walls and roofs of buildings shall be maintained in a clean, orderly and attractive condition, free of cracks, dents, punctures and breakage, and other forms of visible marring. Materials that become excessively faded, chalked or other wise deteriorated shall be refinished or repainted. "Excessively faded" shall be defined as a color change exceeding 7 Delta E (Hunter) units under ASTM D2244. "Excessively chalked" shall be defined as chalk in excess of ASTM D 759 number six rating.

**Performance Standards.**

**A. Compliance Required**

Except as otherwise provided herein, no land, building or structure in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable, fire, explosive or other hazard; noise or vibration; smoke, dust or other form of air-pollution; heat, cold, dampness, electrical or other substance, condition or dangerous element in such a manner or in such amount as to adversely effect the surrounding area or adjoining premises. Permitted uses as set forth in this chapter shall be undertaken and maintained only if they conform to the regulations of this section.

**B. Exterior Noise.**

All uses in all zoning districts shall comply with the noise and peace disturbance regulations of the City code.

**C. Vibration.**

No vibration from any use within any zoning district shall be permitted which is perceptible without instruments at any residential property line within any residential zoning district. For the purpose of determining compliance with this standard, vibration is to be measured at residential property lines within residential zoning districts.

**D. Glare.**

Primary and secondary glare (both direct and reflective) having a source on private property shall not be permitted to produce visual discomfort for viewers on other property in a residential zoning district on adjacent street rights-of-way. Direct glare which produces visual discomfort is to be corrected or avoided by reducing the intensity of the light source and/or the uses of directional lighting or shading devices.

**E. Particulate Matter.**

No emissions, dust, fumes, vapors, gases or other forms of air-pollution shall be permitted in violation of the rules and regulations of the Environmental Protection Agency (EPA).

**F. Outdoor Lighting.**

**1. Purpose and Applicability.**

- a. The purpose of this section is to regulate the spill-over of light and glare on operators of motor-vehicles, pedestrians, and land uses in the proximity of the light source. With respect to motor-vehicles in particular, safety considerations form the basis of the regulations contained herein. In other cases, both the nuisance and hazard aspects of the glare are regulated.
- b. The following standards are required of all outdoor lighting except the outdoor recreational uses specifically exempted below. This section is not intended to apply to public street lighting.

**2. Maximum Height and Illumination.**

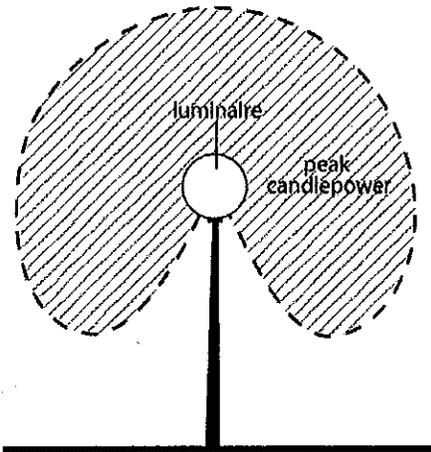
- a. The maximum permitted light post height is dependent on amount of cutoff provided. This is designed as a protection against excessive glare and light spilling over to neighboring properties. The exceptions which are permitted provide adequate protection for neighboring residential property.
- b. Light level at the property line may not exceed one-foot candle except as otherwise specified by this chapter.
- c. Outdoor lighting shall meet one of the following standards:

**(1) No Cutoff**

Luminaires with no cutoff must incorporate decorative design elements such as globes, finials, finished posts, pedestals, cross arms, scrolls, or other decorative embellishments. When a luminaire has no cutoff, the maximum permitted luminaire height shall be:

| <b>Underlying Zoning District</b>   | <b>Maximum Height of Luminaire (feet)</b> |
|-------------------------------------|---|
| A, R-1, R-1A, R-1B, R-2, R-3, R-3A, | 10  |
| PO, C-1, C-2, C-3,                  | 15  |
| BP, M-1, M-2                        | 20  |

Example:

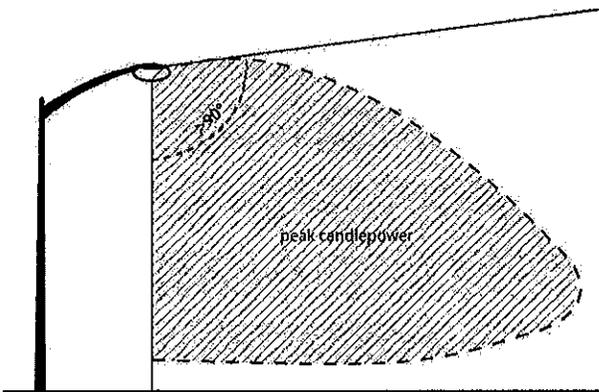


Example:

**(2) Total Cutoff 90 Degrees or More**

When a luminaire has total cutoff of an angle equal or greater than 90 degrees, the maximum permitted luminaire height shall be:

| Base Zoning District   | Maximum Height of Luminaire (feet) |
|------------------------|------------------------------------|
| A, R-1, R-1A, R-2, R-3 | 20                                 |
| PO, C-1, C-2, R-3A     | 25                                 |
| C-3, M-1, BP           | 30                                 |
| M-2                    | 35                                 |



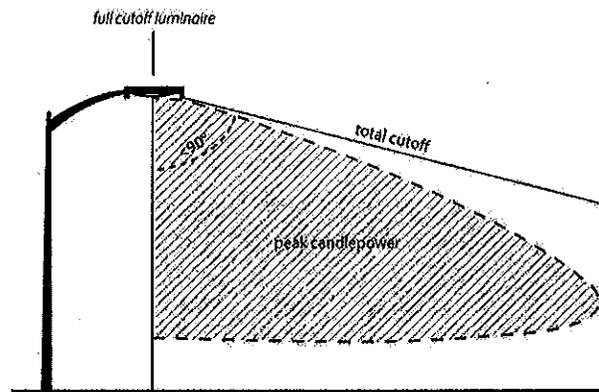
**(3) Total Cutoff Less than 90 Degrees**

When a luminaire has total cutoff of light at an angle less than 90 degrees and is located so that the bare light bulb, lamp or light source

is completely shielded from the direct view of an observer five feet above the ground at the point where the cutoff angle intersects the ground, then the maximum permitted height of the luminaire shall be:

| Base Zoning District   | Maximum Height of Luminaire (feet) |
|------------------------|------------------------------------|
| A, R-1, R-1A, R-2, R-3 | 20                                 |
| PO, C-1, C-2, R-3A     | 35                                 |
| C-3, M-1, BP           | 40                                 |
| M-2                    | 50                                 |

Example:



**(4) Outdoor Recreational Uses**

- (a) Because of their unique requirements for nighttime visibility and their limited hours of operation, public ball diamonds, playing fields, and tennis courts are exempted from the Maximum Height standards of this section. These outdoor recreational uses must meet all other requirements of this section and of this chapter.
- (b) The outdoor recreational uses specified above may not exceed a maximum permitted post height of 80 feet.
- (c) The outdoor recreational uses specified above may exceed a total cutoff angle of 90 degrees, provided that the luminaire is shielded to prevent light and glare spill over to adjacent residential property. The maximum permitted illumination at the lot line shall not exceed two-foot candles.

**(3) Flashing Lights**

No flickering or flashing lights shall be permitted.

(4) **Parking and Loading Areas**

- c. Any lighting used to illuminate off-street parking or loading areas must be directed away from residential properties in such a way as not to interfere with the residential use.
- d. Light poles shall be located within perimeter landscaped areas, landscaped islands and/or made part of cart return bays.

(5) **Measurement**

Lighting levels shall be measured in foot candles with a direct-reading, portable light meter.

(6) **Exterior Lighting Plan**

At the time any exterior lighting is installed or substantially modified, and whenever a building permit is sought, an exterior lighting plan shall be submitted to the Community Development Director in order to determine whether the requirements of this section have been met.

**G. Exceptions from Performance Standards**

The owner or operator of any building, structure, operation or use which violates any performance standard may file an application for a variance from the provisions thereof wherein the applicant shall set forth all actions taken to comply with said provisions and the reasons why immediate compliance cannot be achieved. The Board of Adjustment may grant exceptions with respect to time of compliance, subject to such terms, conditions and requirements as it may deem reasonable to achieve maximum feasible compliance with the provisions of this section. In its determinations, the Board of Adjustment shall consider the following:

- 1. the magnitude of any potential impacts caused by the exception;
- 2. the uses of property within the area of impingement by the violation;
- 3. the economic factors related to age and useful life of the equipment; and
- 4. the general public interest, welfare and safety.

**Fences**

**General Standards**

The following standards apply to all fences in all districts:

1. **Construction**

All fences and walls shall be constructed with a finished surface facing outward from the property. Posts and support beams shall be on the inside of the finished surface.

2. **Fence Location**

- a. No fence shall be constructed within the sight triangle.
- b. Fences are permitted within a platted easement provided that:
  - (1) There are no plat restrictions prohibiting fences in an easement

- (2) The property owner removes the fence, or portion thereof, necessary for the City or utility company to gain access to the easement for maintenance purposes. Should the property owner fail to remove the fence sections located within the easement, the City or utility company may do so.

c. No fence shall be installed or maintained within any drainage way, detention facility, or engineered swale which will create ponding on adjacent, divert water onto the adjoining property, or impede drainage.

**3. Retaining Walls**

In all zoning districts, a retaining wall may be permitted where it is reasonably necessary due to the changes in the slope on the site and where the wall is located at least two feet from any street right-of-way. Where the wall extends more than 30 inches above the ground level, a guardrail must be installed for safety purposes if required by the building code.

**4. Materials**

**Privacy Fences**

Materials allowed for construction of a privacy fence include wood (maximum board width of twelve inches), vinyl, or similar material. In commercial and industrial districts, privacy fences shall not be constructed of wood.

**Decorative Fences**

Materials allowed for construction of a decorative fence include wood, vinyl, galvanized or wrought iron, or similar materials.

**5. Nonconforming Fences**

Any fence legally erected prior to the date of adoption of this code, and not in compliance with the provisions of this section, shall be considered a non-conforming structure. Repairs to a non-conforming structure shall only be made in compliance with this code.

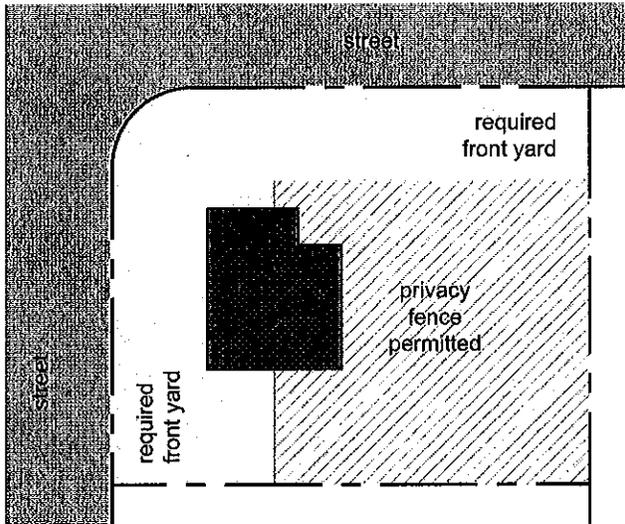
**Agricultural Districts**

In agricultural districts the following standards apply:

| Type                            | Maximum Height | Permitted Location  |
|---------------------------------|----------------|---|
| Privacy fences, walls or hedges | 6 feet         | on any portion of the lot, provided a minimum setback of 50 feet from all street right-of-way lines is maintained |
| Chain link fences               | 6 feet         | on any portion of the lot   |
| Decorative fences               | 6 feet         | on any portion of the lot   |
| Barbed wire                     | n/a            | on any portion of the lot   |
| Electric fences (above ground)  | n/a            | on any portion of the lot   |

On corner lots, a privacy fence, chain link fence, decorative fence, wall or hedge may be constructed or planted to a maximum height of six feet up to the front yard setback line in

the rear yard of the home. For the purposes of this Section, the rear yard is defined as the side of the house opposite the front door.

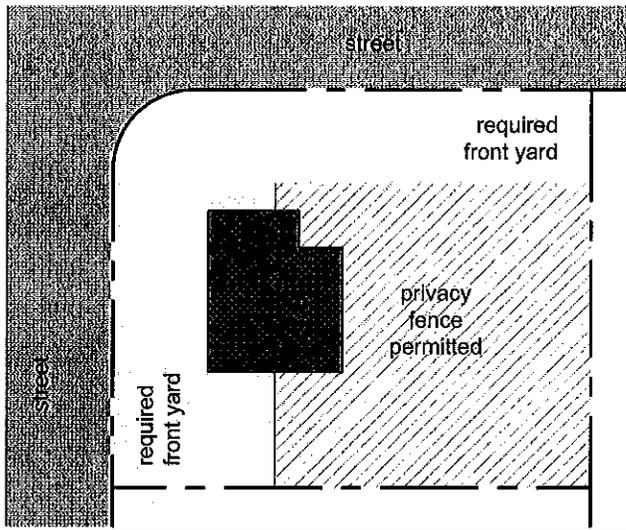


### Residential Districts

1. In residential districts, the following standards apply:

| Type                            | Maximum Height | Permitted Location  |
|---------------------------------|----------------|---|
| Privacy fences, walls or hedges | 6 feet         | in the side and rear yard provided no portion extends closer to the front property line than the midpoint between the front and rear corner of the house  |
| Chain link fences               | 6 feet         | in the side and rear yard provided no portion extends closer to the front property line than the midpoint between the front and rear corner of the house. |
| Decorative fences               | 4 feet         | on any portion of the lot   |
| Decorative fences               | 6 feet         | in the side and rear yard provided no portion extends closer to the front property line than the midpoint between the front and rear corner of the house  |
| Barbed wire                     | n/a            | prohibited  |
| Electric fences (above ground)  | n/a            | allowed in Ag districts only on any portion of the lot  |

2. On corner lots, a privacy fence, chain link fence, decorative fence, wall or hedge may be constructed or planted to a maximum height of six feet up to the front yard setback line in the rear yard of the structure. For the purposes of this Section, the rear yard is defined as the side of the structure opposite the front door.



3. On double-frontage lots whose rear yard abuts an arterial, collector or local street, a privacy fence, chain-link fence, decorative fence, wall or hedge may be constructed or planted to a maximum height of six-feet on the rear property line, provided the fence, wall or hedge does not encroach into a platted landscape buffer or easement and there is no direct access to the arterial or collector road.
4. A decorative fence constructed to a maximum height of six feet may be erected along an arterial, collector or local road as an integrated feature of an overall subdivision or development design. Said fence may enclose the entire perimeter of the subdivision, provided there are no individual driveway openings through the fence.

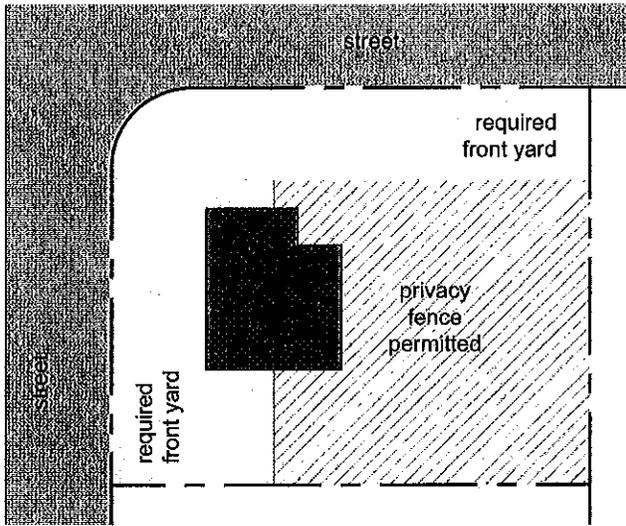
### Commercial and Industrial Districts

1. In commercial, business and industrial districts, the following standards apply:

| Type                            | Maximum Height | Permitted Location   |
|---------------------------------|----------------|--|
| Privacy fences, walls or hedges | 6 feet         | in the side and rear yard provided no portion extends closer to the front property line than the front corner of the structure       |
| Chain link fences               | 6 feet         | in the side and rear yard provided no portion extends closer to the front property line than the front corner of the structure       |
| Security fences                 | 8 feet         | in industrially zoned districts only. No portion may extend closer to the front property line than the front corner of the structure |
| Decorative fences               | 4 feet         | on any portion of the lot  |
| Decorative fences               | 6 feet         | in the side and rear yard provided no portion extends closer to the front property line than the front corner of the structure       |
| Barbed wire                     | n/a            | prohibited   |
| Electric fencing (above ground) | n/a            | allowed in RE districts only on any portion of the lot   |

2. On corner lots, a privacy fence, chain-link fence, decorative fence, wall, or hedge may be constructed or planted to a maximum height of six-feet up to the front yard

setback line in the rear yard of the structure. For the purpose of this section, the rear yard is defined as the side of the structure opposite the front door.

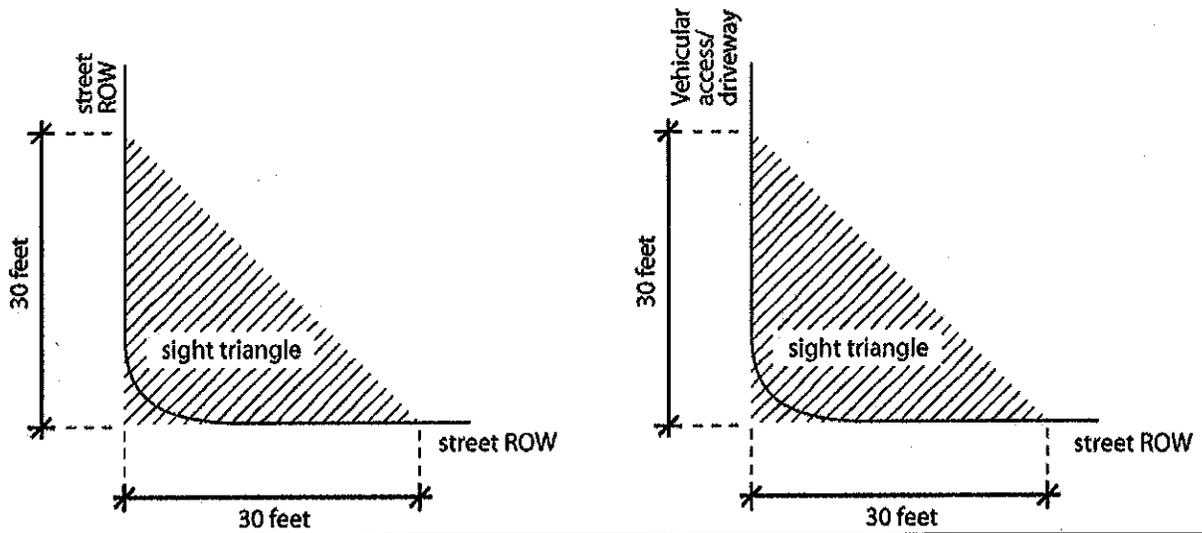


3. On double-frontage lots whose rear yard abuts an arterial, collector or local street, a privacy fence, chain-link fence, decorative fence, wall, or hedge may be constructed or planted to a maximum height of six-feet on the rear property line provided the fence, wall, or hedge does not encroach into a platted landscape buffer or easement and there is no direct access to the arterial or collector road.
4. A decorative fence constructed to a maximum height of six-feet may be erected along an arterial, collector or local road as an integrated feature of an overall subdivision or development design. Said fence may enclose the entire perimeter of the subdivision.

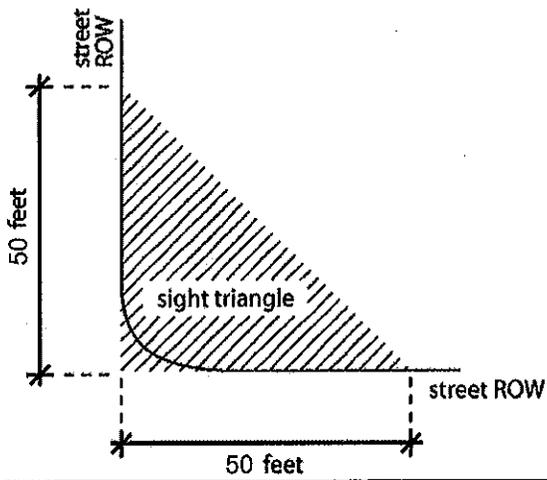
#### **Intersection Visibility**

- A. No sign, fence, wall, shrub or other obstruction with a height between two and one-half and eight feet shall be located in a sight triangle.
- B. Sight triangles must be provided at:
  1. all street intersections; and
  2. the intersection of a vehicular access way or driveway and a street, except for single-family and two-family dwellings.

The sight triangle includes the area created by the street right-of-way lines extending 30-ft. from their intersection. Where a street right-of-way intersects a vehicle access way or driveway, the sight triangle includes the area created by the street right-of-way line and the edge of the drive extending 30-ft. from their intersection.



When an arterial street intersects another arterial street or railway, the sight triangle is increased to 50 feet from the intersection of the right-of-way lines.



The City of Belton is authorized to trim, remove or order removal of structures, signs, landscaping, or other materials that violate this section.

## Subdivision Design and Improvements

### General

#### Applicability

Except as otherwise noted, the regulations contained in this chapter apply to the division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for the purpose of sale, transfer or building development, whether immediate or future, including the re-subdivision or re-platting of land or lots.

#### Conformance to Applicable Rules and Regulations

1. In addition to the regulations established by this chapter, all subdivision plats must comply with the following laws, rules and regulations:

- a. all applicable provisions of the Missouri Statutes;
  - b. the City of Belton Unified Development Ordinance, Building and Housing Codes, and all other applicable laws;
  - c. the Growth Management Plan, as adopted;
  - d. any adopted policies and rules of the Director of Public Works, and the Department of Natural Resources of the State of Missouri;
  - e. the rules of the Missouri Highway and Transportation Department if the subdivision of any lot contained therein abuts a State highway; and
  - f. the standards and regulations adopted by the Director of Public Works and all Boards, Commissions, Departments, Agencies and Officials of the City adopted pursuant to any law or ordinance.
2. Plat approval may be withheld if a subdivision is not in conformity with any of the above or the intent and purposes of this Code.

**Exemptions; Activities that do not Constitute a Subdivision**

The following activities do not constitute a subdivision and are expressly exempt from the design and improvement standards of this chapter:

- a. the division or further division of land into lots or parcels, each of which contains more than 40-acres, where no new streets or easements of access are created;
- b. a transaction between owners of adjoining land that involves only a change in the boundary between the land owned by such persons, and does not create an additional lot or non-conformity;
- c. a conveyance of land or interest therein for use as right-of-way or other public utilities subject to State or Federal regulation, where no new lot is created;
- d. a conveyance made to correct a description in a prior conveyance; and
- e. any transfer by operation of law.

**Subdivision Review and Approval**

1. No plat of a land division may be accepted for recordation or recorded with the Recorder of Deeds until the Community Development Director has either:
  - g. certified in writing that the proposed land division does not constitute a subdivision; or
  - h. determined that the land division constitutes a subdivision and has been reviewed and approved in accordance with the applicable procedures.
2. No subdivision or exempt land division may be executed solely by deed instrument. All applications for subdivisions or exempt land division must bear the signature of the owner of the property for which the application is being made.

**Improvements**

### **Improvements Required**

A Subdivider is responsible for the construction, installation and maintenance of the following improvements according to the standards of this Code in addition to any federal, state or local standards:

1. all roads and sidewalks within the subdivision and improvements to existing roads required for safe and adequate access to the subdivision as may be required by this chapter;
2. water supply and wastewater systems;
3. storm-water management facilities;
4. sewage disposal facilities;
5. other private utilities;
6. street lighting; and
7. any other improvements required by this Code or required at the time of preliminary plat approval.

### **Development Agreements**

Prior to the approval of a final plat for a subdivision in which improvements are required to be installed, the subdivider shall enter into a written development agreement with the City, in which all required improvements are specified, together with method of construction and provisions for payment of the cost thereof.

### **Performance Guarantees**

#### **Forms and Conditions**

- a. Performance guarantees must be made payable to the City before a construction permit will be issued. The guarantee must be conditioned on the faithful performance of all the obligations under the Development Agreement. Should the developer fail to properly install all improvements within the term of the guarantee, the City may draw on the funds to complete the improvements.
- b. The guarantee must be in the form of a bond, escrow deposit or other surety instrument acceptable to the City Council.
- c. The regulations may provide for the dedication, reservation or acquisition of lands and open spaces necessary for public uses indicated in the City Growth Management Plan and for appropriate means of providing for the compensation, including reasonable charges against the subdivision, if any, and over a period of time and in a manner as is in the public interest.

#### **Amount**

The amount of the guarantee must be in an amount at least equal to the contract price for the public infrastructure.

#### **Term**

Guarantees must be posted for a time period acceptable to the City Council.

### Release of Guarantee

The performance guarantee will be released when:

- a. all improvements are completed according to approved plans and the requirements of the Unified Development Code, and are certified by all appropriate agencies;
- b. as-built plans have been submitted as required by this chapter;
- c. final acceptance of improvements has been made by the City Council; and
- d. two year maintenance bond is received.

### Certificate of Insurance

1. The contractors shall indemnify the City, with Certificate of Insurance with the City named as co-insured. Certificate of Insurance shall be on a form furnished by the City. The contractor shall secure and maintain throughout the duration of construction, insurance of types and in amounts as may be necessary to protect himself/herself and the interest of the City against all hazards or risk of loss. The form and limits of such insurance together with each underwriter, shall be acceptable to the City, but regardless of such acceptance it shall be the responsibility of the contractor to maintain adequate insurance coverage at all times.
2. The contractor may satisfy the liability limits required for each type of insurance by securing and maintaining an umbrella excess liability type policy.
3. Satisfactory Certificates of Insurance shall be filed with the City before a construction permit will be issued. The liability limits shall not be less than:

| Workers Compensation  | Statutory  |
|---|--|
| Automobile Liability--Bodily Injury   | \$500,000.00 each person                                       |
| Bodily Injury   | \$2,000,000.00 each occurrence                                 |
| Property or Combined Single Limit   | \$300,000.00 each occurrence<br>\$2,000,000.00 each occurrence |
| Comprehensive General Liability (including products & completed operations) | \$500,000.00 each occurrence<br>\$2,000,000.00 aggregate       |

### Construction Permits

Construction permits shall only be issued to the contractor completing the work. No improvements shall be constructed nor shall any preliminary work thereto be done until such time as a preliminary plat has been approved and the engineering drawings and construction plans have been approved and a construction permit issued. Improvements shall be in compliance with all of the requirements relating to the agreement specified in 0 of this Code. Improvements installed must be consistent with, and in compliance with the approved preliminary plat. Preliminary grading may take place if a grading and erosion control plan has been approved by the Director of Public Works and a land disturbance permit has been issued.

## **Mud Deposit**

1. Each builder working within the City limits of Belton must deposit a sum of \$500.00 at the time of issuing individual building permits. The deposit will be a guarantee that the permit applicant and any subcontractors or employees will keep streets and sidewalks in the area in which they are working free and clear of dirt, gravel, rubbish or other construction debris. The Director of Public Works may waive the deposit required by this section when the applicant is an individual home owner.
2. No person, firm or corporation may dump or deposit or cause to be dumped or deposited any dirt, gravel, rubbish, leaves or other debris; including, but not limited to, lumber; paper; trash; concrete or metal in any street, right-of-way, gutter, storm sewer, waterway or drainage way or erosion of soil that flows onto any street, right-of-way, gutter, storm sewer, waterway or drainage way abutting property from property before or during construction.
3. If upon inspection by the Director of Public Works or any of their designated representatives, it is determined that dirt, gravel, rubbish, leaves or other debris has been dumped or deposited in any street, right-of-way, gutter, storm sewer, waterway or drainage way in violation of the provisions of this section, he/she will then notify the responsible permittee and establish a 24 hour period to make the affected area free and clear of said dirt, gravel or debris. If the City's representative cannot determine which permittee is responsible for cleaning the street's right-of-way, the developer of the land will be given 24 hours' notice to make the affected area free of said dirt, gravel or debris. If within the 24 hour period the said area is not clear, the Director of Public Works or his/her designate may authorize the City to take necessary action to clean up the said area and assess all charges at an established hourly rate, but in no case will the charges be less than two hours for labor, materials and equipment.

## **Construction of Improvements**

1. The subdivision survey shall conform to the procedures as defined in an official document adopted by the Director of Public Works and shall be based on the current Minimum Standards for Property Boundary Surveys 10 CSR 30-2, Missouri Code of State Regulations.
2. All required improvements shall be designed and built according to the latest edition of the Kansas City Metropolitan A.P.W.A. and City of Belton criteria unless otherwise noted in this chapter.
3. Prior to approval of the final plat, the developer shall submit to the City a cost estimate of the public improvements as specified by the Engineer's plans and specifications.
4. All public utilities must be installed underground. Plans for underground facilities shall be prepared by, or at the direction of, the agency involved.
5. All public improvements shall be completed according to the plans and specifications approved by the Director of Public Works.

## **Inspection of Improvements**

### **1. Construction Plan Review Fee**

The subdivider shall pay to the City a plan review fee of one percent of the estimated cost of the required improvements for the review and processing of the Construction and Grading Plans.

### **2. Inspection of Improvements**

- a. Unless otherwise approved by the Director of Public Works, all improvements shall be inspected by the City of Belton. The subdivider shall pay to the City a fee of five percent of the estimated cost of the required improvements for construction inspection. This fee may be adjusted from time to time by the City Council.
- b. The subdivider shall contract with a registered professional engineer or surveyor to perform construction staking and preparation of "as-built" construction plans.
- c. Building permits shall not be issued for residential projects until the required improvements have been accepted by the City and the construction inspection and plan review fees have been paid. A certificate of occupancy shall not be issued for non-residential developments until the required improvements have been accepted by the City and the construction inspection and plan review fees have been paid.

## **Acceptance of Improvements**

Upon receipt by the City Council of a certification from the Director of Public Works, stating that all improvements have been installed in reasonable conformity with the approved engineering drawings and in reasonable conformity with the requirements of this chapter and all other applicable statutes, ordinances, and regulations, that all "as built" drawings have been furnished as required and that all survey monuments are in place, the City Council will thereupon, by resolution, formally accept such improvements. The improvements shall become the property of the City. This acceptance does not relieve the developer of any obligation to maintain these facilities as may be required by the two year Maintenance Bond.

## **As-Built Drawings**

Upon completion of the work, or any phases thereof, the developer shall furnish permanent reproducible "as-built" drawings of the work to the Director of Public Works.

## **Vacation of Undeveloped Subdivision**

When no lots on a plat of subdivision have been sold, the subdivider may request the vacation of the plat prior to the time that the improvements covered by the bond are installed, and when such plat is vacated, all financial guarantees shall be returned to the subdivider.

## **Maintenance Bond and Maintenance of Improvements**

1. When all or parts of required improvements in a subdivision are installed, and required inspections have been made, the developer and/or its contractor or designee shall furnish to the City a maintenance bond naming the City and developer as additional insureds equal to 50 percent of the construction cost of said

improvements, said maintenance bond shall be conditioned that improvements shall endure without need of repairs for a period of two years, said maintenance bond shall be on the form as required and approved by the City of Belton.

2. Within the time period prescribed by the bond, the developer and contractor, as ordered by the Director of Public Works, shall repair, replace or rebuild such portions of the work which are found to be faulty because of materials or workmanship. The developer or its contractor shall begin the remedial work no less than five days after order from the Director of Public Works. In case the developer or its contractor does not start the remedial work within the above time limit, or in case of an emergency condition caused by faulty work, the City may take remedial action and charge the costs thereof against the developer, contractor and their surety.
3. If the developer and/or its contractor or designee does not start or finish the remedial work within the established time frame, the City may suspend the issuance of any building permits within the subdivision.
4. Prior to the expiration of the Maintenance Bond, an inspection of the bonded improvements shall be made by the City and if improvements are without need of repairs, the City shall release the Maintenance Bond and assume the responsibility of maintenance of the improvements.

### **Property Owners Associations**

#### **1. Establishment**

If a property owners association is to be responsible for the maintenance and control of roads, open space, recreational facilities or other common areas and facilities within a subdivision, that association must have legal authority to maintain and exercise control over the common areas and facilities, including the power to compel contributions from residents or property owners to cover their proportionate share of the costs associated with the maintenance of the common areas and facilities.

#### **2. Documentation**

- a. Documents providing for the establishment of a property owners association must be submitted to the Community Development Director before approval of a final plat.
- b. The City's review is limited to ensuring that the property owners association has clear legal authority to maintain and exercise control over the common areas and facilities, including the power to compel contributions from residents and property owners to cover their proportionate share of the costs associated with the maintenance of the common areas and facilities.

#### **3. Responsibilities**

Property owners associations must be established and approved as a condition of plat or development approval. They are responsible for the cost and maintenance of all common open space, private streets, landscape areas (including those within cul-de-sac islands, and around identification signs), trails, subdivision identification signs, utilities, and other facilities that are not dedicated to the public.

## **Subdivision Design and Layout**

### **Compliance with Growth Management Plan**

No subdivision may conflict with the Comprehensive Plan of the City of Belton, Missouri.

### **Conditions**

The subdivision of land is a privilege conferred upon the developer by the laws of the State of Missouri and through these subdivision regulations. It is the developer who is seeking to acquire the advantages of lot subdivision and upon him/her rests the duty of compliance with reasonable conditions laid down by the Planning and Zoning Commission and the City Council for design, dedication, improvement and restrictive use of the land so as to conform to the physical and economical development of the City and to the safety and general welfare of the future plot owners in the subdivision and of the community at large.

### **Design Principles and Guidelines**

#### **1. Traffic Movement and Pedestrian Circulation**

- a. Subdivisions shall be designed to create an integrated system of lots, streets, trails, and infrastructure that provides for efficient movement of people, bicycles, and automobiles within the subdivision and to and from adjacent development.
- b. Subdivisions shall provide for the efficient movement of through traffic by providing a completely interconnected hierarchy of streets and roads in order to avoid isolation of residential areas and over-reliance on arterial roads.
- c. All subdivisions shall be designed to provide safe and attractive pedestrian routes to nearby commercial centers, as well as nearby public/civic, employment and recreation uses.
- d. Street layouts shall be uncomplicated, so that emergency services, public services, and visitors can find their way to their destinations.
- e. Residential driveways shall not directly access arterial or collector roads.
- f. Residential subdivisions involving three or more lots shall be served by internal street systems rather than relying on direct access from existing arterial and collector streets. When direct access from arterial and collector streets is allowed, the City Council shall be authorized to require shared access drives and other mitigation measures to reduce the number of access points on major roads and thereby promote public safety and efficient movement of traffic.

#### **Open Space**

- a. Open spaces shall be integrated into and throughout subdivisions, should be connected with one another and with open spaces in adjacent developments, and should include trails that connect to pedestrian routes in the subdivision and to regional trail systems.

- b. Open spaces anticipated for use as active or developed parks shall be located on relatively flat, well-drained terrain.
- c. Open spaces not anticipated for use as active or developed parks shall be located on prominent high points with significant views or along significant and interesting geological features or wooded areas or along significant drainages.
- d. Open spaces that are anticipated to serve as trail corridors shall be continuous with anticipated trail corridors on adjacent properties.
- e. Subdivisions shall be designed and laid out in a manner that creates the least damage to the natural environment, avoids to the maximum extent feasible significant natural resources such as prime agricultural lands, wooded areas and wetlands.

#### **Natural Hazards**

Lands subject to flooding, excessive erosion, and subsidence because of soil types or groups, water courses and other drainage-ways, steep slopes or other natural hazards may not be platted for residential or other uses in such a way as to present a danger to life or property or to the public health, safety or general welfare.

#### **Natural and Cultural Resources**

- a. Subdivisions shall be designed to preserve trees and native vegetation, ponds, streams, rivers, lakes, hillsides and other natural resources that exist on a site.
- b. Subdivisions shall be designed to preserve cultural and historic resources.

#### **Blocks**

1. The lengths, widths, and shape of blocks must be suited for the planned use of the land, zoning requirements, and need for convenient access, control and safety of street traffic and the limitations and opportunities to the terrain.
2. Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic.
3. Blocks may not exceed 1,000 feet in length. Pedestrian ways of not less than 10 feet in width must be provided near the center of any block that is 600 feet or more in length where deemed necessary in the opinion of the Planning and Zoning Commission to provide adequate pedestrian circulation or access to schools, shopping center, churches, parks or transportation facilities.

#### **Lots**

1. The lot size, width, depth, shape and orientation, and the minimum setback lines must be appropriate for the location of the subdivision and for the type of development and use contemplated.

2. Lot dimensions, including width, depth, area and setbacks, must conform to the requirements of the Unified Development Code unless otherwise expressly stated in this section.
3. Corner lots for residential use must have extra width to permit appropriate building setback from, and orientation to both streets.
4. The area of the street right-of-way shall not be included and calculated in the area of the lot with respect to minimum lot area requirements of the Unified Development Code.
5. Double frontage and reverse frontage lots may be approved at the time of preliminary plat approval where necessary to provide separation of residential development from through traffic or overcome specific disadvantages of terrain and orientation. No access shall be allowed onto a collector or arterial road.
6. The depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.
7. Unless otherwise approved by the Director of Public Works, the minimum finished floor elevation for the garage slab shall be one and one-half feet above the top of curb. The maximum finished garage floor elevation shall be such as to provide a maximum driveway slope of eight percent.
8. When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged in such a manner as to allow for the opening of future streets and logical further re-subdividing of the parcel.

### **Subdivision Adjacency Standards**

The following subdivision adjacency standards are intended to provide adequate transition between new single-family and two-family developments adjoining recorded platted single-family subdivisions in the City.

#### **1. Applicability**

For preliminary or final plat applications, if the median lot area per dwelling unit of proposed lots is less than 75 percent of the median lot of the adjacent existing platted lots, the requirements of this section shall apply.

#### **2 Exempted Subdivisions**

- a. New subdivisions separated from existing recorded platted subdivisions in the City by a right-of-way for the entire length of the new subdivision shall be exempt from the requirements of this section. If the right-of-way only extends for a portion of the distance between the two subdivisions, then one of the adjacency options shall be utilized along the remaining common lot line.
- b. An application for preliminary plat or final plat approval that is part of a subdivision that has an approved Memorandum of Understanding regarding development of the entire subdivision shall be exempt from the requirements of this section.

**3. Standards**

a. New residential subdivisions subject to the requirements of this section must provide one of the following lot compatibility techniques along the common property line:

**c. Landscape Buffer with Berm**

- (1) Shall have a minimum width of 25 feet;
- (2) Shall have a minimum height of four feet;
- (3) Evergreens shrubs, trees or other landscape plantings shall be utilized to create a Type A opaque buffer.
- (4) Perimeter barriers, including fencing or walls, may be utilized within the landscape buffer; and
- (5) The buffer shall be part of an open space or landscape tract.

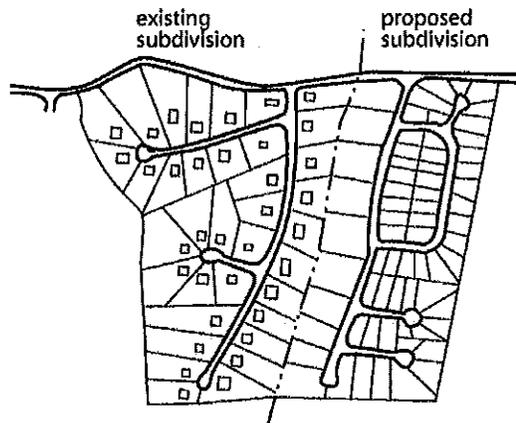
**d. Landscape Buffer without Berm**

- (1) Shall have a minimum width of 30 feet;
- (2) Evergreens, shrubs, trees, or other landscape plantings shall be utilized to create a Type A opaque buffer.
- (3) Perimeter barriers, including fencing or walls may be utilized within the landscape buffer; and
- (4) The buffer shall be part of an open space or landscape tract.

**e. Open Space Buffer**

- (1) Shall have a minimum width of 50 feet;
- (2) Shall contain a 10 foot wide trail, pedestrian or bike path that provides pedestrian connectivity; and
- (3) The buffer shall be part of an open space or landscape tract.

f. **Yard Matching**



g. **The rear yard widths of the proposed development shall match the rear yard widths of the existing adjacent development.**

h. **Parkland**

Dedication of City parkland accepted by the Belton Parks Board.

4. **Combination of Options**

A combination of options may be utilized to fulfill the adjacency requirement along the entire length of the common property line between the proposed lots and existing platted lots.

**Monuments**

5. The subdivider shall cause a registered land surveyor to install permanent reference points on all perimeter corners of the property.
6. All required monuments disturbed, destroyed, obliterated or lost during construction shall be replaced upon completion of the work by the developer or his/her contractors at the cost of the developer.

**Easements**

7. **Utility Easements**

The Director of Public Works may require general utility easements of adequate width along lot lines where necessary or advisable for poles, wires, conduits, sanitary sewers, gas, water, power, and other utility lines as dictated by the plans of the developer to provide utility connections. The following are established as minimum width for any general utility easements on all lots:

- a. front line easements--10 feet;
- b. side line easements--five feet;
- c. rear line easements--seven and one-half feet if adjacent to a general utility easement of at least five feet in width otherwise, 10 feet.

**8. Drainage Easements**

- a. Suitable drainage easements as required by the Director of Public Works must be dedicated on the subdivision plat to provide for the natural drainage of storm water through the plat and in consideration of proposed improvements.
- b. The minimum width for drainage easements shall not be less than 15 feet for closed conduits and 20 feet for open channels, but, in any case, must provide for conveyance of a 100 year storm flow with additional width of not less than 10 feet for construction and maintenance equipment and operations. Any variations to these standards should be noted on the final plat certified by the Director of Public Works.
- c. These drainage ways must be improved to the extent necessary to properly accommodate storm flows in a manner to eliminate erosion and possible loss and damage to life, land and property. The location, width and alignment of such drainage easements and the improvements shall be subject to the approval of the Director of Public Works.

**Streets**

**9. Street Access**

All lots located in any subdivision must provide direct access to a dedicated public street, except that private streets may be permitted as a part of a Planned Unit Development or as otherwise permitted by this chapter.

**10. Arrangement, Width and Location**

Streets shall be designed and located in proper relation to existing and proposed streets; to the terrain; to natural features such as streams and tree growth; to public convenience and safety; to the proposed use of the land served by such streets; and to the most advantageous development of the adjoining area.

**11. Connectivity**

- a. Proposed streets must extend to the boundary line of the tract being subdivided unless prevented by topography or other physical conditions; or unless in the opinion of the Planning Commission such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of the adjacent tracts.
- b. Streets within new subdivisions shall be connected with existing streets in adjacent subdivisions to provide connectivity between subdivisions.

**12. Buffer Strips**

- a. Whenever a proposed residential subdivision contains lots that back onto an arterial or major collector, a buffer strip must be provided, according to one of the following two options:

|                           | <b>Option A</b>                      | <b>Option B</b>                                      |
|---------------------------|--------------------------------------|--|
| <b>Buffer strip width</b> | 30 feet                              | 20 feet  |
| <b>Canopy trees</b>       | 1 deciduous shade tree every 60 feet | 1 deciduous shade tree or 2 evergreens every 60 feet |

|                               | <b>Option A</b>            | <b>Option B</b>                                  |
|-------------------------------|----------------------------|--|
| <b>Understory trees</b>       | Allowed, not required      | 3 ornamental and 1 evergreen tree every 100 feet |
| <b>Large flowering shrubs</b> | 4 clustered every 150 feet | 4 every 30 feet                                  |
| <b>Berm</b>                   | Allowed, not required      | Allowed, not required                            |

- b. All trees and shrubs must be set back from the right-of-way line at least five feet.
- c. The buffer may not be a part of the platted lots and must have the following restriction lettered on the plat:  

“This buffer reserved for the planting of trees or shrubs by the developer; the building of structures and fences hereon is prohibited.”
- d. At the time of final plat, the developer must provide a landscape plan for the buffer strip area.
- e. A wall or fence consisting of a unified and consistent design and materials may be installed within the buffer area. The wall or fence must be included in the landscape plan submitted to the Planning and Zoning Commission.

**13. Intersections**

Streets must intersect at right angles unless otherwise dictated by topography or other factors of good design.

- a. The number of intersections along arterial and collector streets shall be held to a minimum. Wherever practical the distance between such intersections shall not be less than 1000 feet.
- b. Property lines at street intersections shall be rounded with a minimum radius of 15 feet. A greater radius may be required by the Director of Public Works where anticipated traffic justifies such a requirement.
- c. Streets parallel to a limited access highway shall, when intersecting an arterial or collector street, highway or a collector street be located at a minimum distance of 250 feet from said right-of-way, highway or collector street. Such distance, when desirable and practical, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.
- d. Local streets need not continue across major or collector streets; but, if the centerline of such local street approach the arterial or collector streets from opposite sides thereof within 150 feet, however, the Director of Public Works may require an appropriate easement to accommodate drainage facilities, pedestrian traffic or utilities.

**Street Dimensions**

- e. All streets must conform to the following requirements:

|  | Major Arterial | Minor Arterial | Major Collector | Minor Collector | Local | Cul-de-sac | Alley | Pedestrian Way |
|--|----------------|----------------|-----------------|-----------------|-------|------------|-------|----------------|
|  |                |                |                 |                 |       |            |       |                |

|  | Major Arterial | Minor Arterial | Major Collector | Minor Collector | Local | Cul-de-sac                  | Alley | Pedestrian Way |
|--|----------------|----------------|-----------------|-----------------|-------|-----------------------------|-------|----------------|
| Minimum right-of-way width (feet)  | 100            | 80             | 80              | 60              | 50    | 100 (diameter)              |       |                |
| Maximum grade (%)  | 6              | 6              | 6               | 8               | 10    | 15 (10 for turnaround only) | 10    | 15             |
| Minimum curve radius (feet)  | 500            | 250            | 250             | 200             | 150   |                             |       |                |
| Minimum tangents between reverse curves (road centerline dimension, in feet) | 100            | 100            | 100             | 100             |       |                             |       |                |

Unless necessitated by exceptional terrain and subject to the approval of the Director of Public Works.

- (1) All changes in street grade shall be connected by vertical curves and be designed for safe stopping sight distance as determined by the project engineer. Wherever practical, street grades shall be established in such a manner to avoid excessive grading or promiscuous removal of ground cover and tree growth, and a general leveling of the terrain. Grades so established will reduce hazards by maintaining adequate sight distance for classification of streets and design speeds.

The developer may request a variance to the above curve and tangent requirements based on engineering considerations of topography, length of street, number of curves and other factors which may dictate a lesser radius. Such request may be approved by the Director of Public Works.

**14. Standard Street Sections and Details**

The City of Belton Design Criteria Manual shall be used for future residential, minor collector and arterial streets, and major collector and arterial streets constructed within the City of Belton. The following additional standards are also required.

**a. Design for Persons with Disabilities**

Access ramps for disabled persons must be installed whenever new curbing or sidewalks are constructed or reconstructed in the City of Belton. Such ramps must conform to Americans with Disabilities Act (ADA) standards subject to review and approval by the Director of Public Works. These standards apply to any City street or connecting street for which curbs and sidewalks are required by this chapter, on which curb and sidewalk have been prescribed by the City Council or where sidewalks have been provided by the developer.

**b. Approval of Grades**

Profiles of streets must be submitted to and approved by the Director of Public Works. Submittal information required for review of the preliminary plat must include preliminary street profiles. Final calculated street profiles will be required in submittal of construction plans required during review of the final plat.

- c. **Maximum and Minimum Grades**  
The grades of all streets may not be greater than the maximum grades for each classification as set forth in this section, except where topographical conditions unquestionably justify a departure from this maximum, as determined by the Director of Public Works. The minimum grade for all streets must be eight-tenths percent. The minimum grade must be at least one percent wherever possible.
- d. **Approval of Subgrade**  
The Director of Public Works must approve the subgrade before any base course or surface is placed thereon. The subgrade must be constructed to be uniform in density throughout. The entire width and length shall conform to line, grade, and typical cross-section shown on the plans or as established by the Director of Public Works. If any settling or washing occurs or where hauling results in ruts or other objectionable irregularities, the contractor must re-shape and re-roll the subgrade before the base or surfacing is placed.
- e. **Sewer and Water Work Before Base Construction**  
No base course work may proceed on any street until all trenching for storm and sanitary sewers and for water lines within an area extending one foot behind curbs has been properly backfilled satisfactory to the Director of Public Works. Wherever possible, the developer must schedule installation of gas or buried electric utility lines so that trenches for such lines can be properly backfilled before street base course construction.
- f. **Storm Sewers and Inlets**  
Manholes, storm sewers, inlets and utility valves shall be adjusted to meet the proper grade of street or yard areas to the satisfaction of the Director of Public Works.

15. **Half Streets**

Where an existing dedicated or platted half street is adjacent to the tract being subdivided, the other half of the street right-of-way must be dedicated by the subdivider. Half street dedications are not permitted, unless there is satisfactory agreement with the City that both adjacent developers agree to dedicate and construct one-half of the street. All internal local and collector streets shall be constructed.

16. **Suburban Estate Streets**

Streets in subdivisions with lots two and one-half acres in area or larger and with frontages of 200 feet or greater, or any streets in subdivisions in the R-1B district, may be designed in accordance with the cross section as shown in the City specification for streets, subbase and base for residential lots larger than two and one-half acres.

17. **Cul-de-sac Streets**

- a. Cul-de-sac streets may not be longer than 600 feet, measured from the centerline of the cul-de-sac to the centerline of the connecting street. In subdivisions with lots one-half acre or larger, cul-de-sac streets may be up to 800 feet in length. Exceptions may be made where topographic or other

unusual existing conditions so require, subject to the approval of the Director of Public Works and the Planning Commission.

**b. Sewer and Water Work Before Base Construction**

No base course work may proceed on any street until all trenching for storm and sanitary sewers and for water lines within an area extending one foot behind curbs has been properly backfilled satisfactory to the Director of Public Works. Wherever possible, the developer must schedule installation of gas or buried electric utility lines so that trenches for such lines can be properly backfilled before street base course construction.

**c. Storm Sewers and Inlets**

Manholes, storm sewers, inlets and utility valves shall be adjusted to meet the proper grade of street or yard areas to the satisfaction of the Director of Public Works.

**18. Half Streets**

Where an existing dedicated or platted half street is adjacent to the tract being subdivided, the other half of the street right-of-way must be dedicated by the subdivider. Half street dedications are not permitted, unless there is satisfactory agreement with the City that both adjacent developers agree to dedicate and construct one-half of the street. All internal local and collector streets shall be constructed.

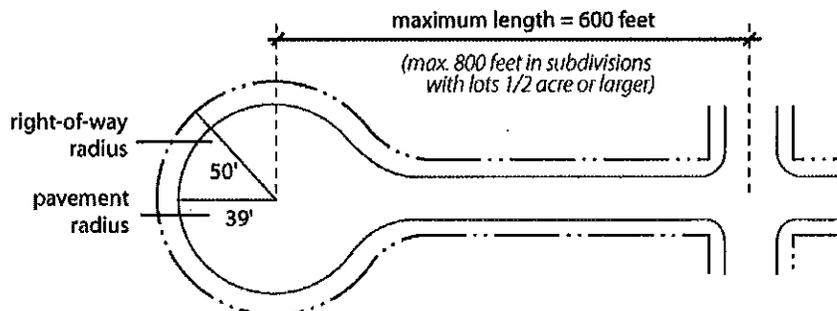
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**20. Cul-de-sac Streets**

a. Cul-de-sac streets may not be longer than 600 feet, measured from the centerline of the cul-de-sac to the centerline of the connecting street. In subdivisions with lots one-half acre or larger, cul-de-sac streets may be up to 800 feet in length. Exceptions may be made where topographic or other unusual existing conditions so require, subject to the approval of the Director of Public Works and the Planning Commission.

b. Turnarounds must have a minimum pavement radius of 39 feet and a minimum outside property line radius of 50 feet.



- c. A decorative island may be provided at the center of a cul-de-sac turnaround if the Director of Public Works determines that its installation would not impede traffic or create unsafe conditions. Decorative islands must be specifically approved by City Council. As a condition of approval, the developer must assign responsibility for maintenance of the island to the homeowner's association, and related provisions of the property owners' association articles of agreement must be reviewed and approved by the City Council prior to Final Plat approval.

21. **Private Streets**

Private streets are permitted subject to the approval of the City Council. A homeowner's association or business district association must be formed to maintain any private street.

22. **Street Classification**

Street classification in new subdivisions must first be determined by the Director of Public Works when the Preliminary Plat of a subdivision is submitted. The final classification will be determined by the City Council as approval of the final plat is made by that Council.

23. **Street Names and Signs**

- a. Street names must be suggested by the developer and approved by the Planning Commission at the time of the preliminary plat approval.
- b. Street names may not duplicate names of any existing street in Belton and adjacent communities except where a new street is a continuation of an existing street. Street names that are spelled differently but sound the same shall be avoided. The street name pattern established by Belton must be continued except as approved by the Planning Commission.
- c. Generally no street should change direction by more than 90 degrees without a change in street name.
- d. Reflective street signs, approved by the Director of Public Works, will be provided and installed by the developer at all street intersections at the developer's expense.

**Street Lighting**

A street light plan shall be designed by a registered professional engineer and approved by the Director of Public Works. The developer shall take the necessary steps to secure placement of street lights. The subdivider shall agree to pay all costs of installation and all costs incurred by the City for said street lights for a period of five years.

**Sidewalks**

1. **Requirement**

a. **Residential Developments**

- (1) Sidewalks shall be installed on both sides of all public streets except upon lots greater than 3 acres in size, or in the case of a residential subdivision, when the average lot size is greater than 3 acres.

- (2) Sidewalks shall be installed in the right-of-way, 1 foot from the property line adjacent to the street, along the street frontage of all lots.
- (3) Sidewalks along private streets shall be determined as part of preliminary plat review.

b. **Commercial, Industrial and all other developments.**

- (1) Sidewalks shall be installed on both sides of all public streets.
- (2) Sidewalks shall be installed in the right-of-way, one-foot from the property line adjacent to the street, along the street frontage of all lots.
- (3) Sidewalks shall be provided along one-side of access drives and shall connect to sidewalk along all public streets adjacent to the development.

2. **Installation of Sidewalks**

a. **Residential developments**

- (1) Sidewalks shall be installed along all public streets adjacent to the lot prior to the issuance of a certificate of occupancy for the structure.
- (2) Sidewalks in common areas adjacent to residential lots shall be installed prior to the issuance of a certificate of occupancy for the structure upon the lot adjacent to the common area.
- (3) Sidewalks in common areas not adjacent to any residential lot shall be installed at the time public improvements are installed.
- (4) Sidewalks along arterial or collector streets shall be installed at the time public improvements are installed.
- (5) The owner of any undeveloped lot within the subdivision or subdivision phase shall be required to construct a sidewalk on that lot when 50% or more of the lots on the same side of the street in the same block already have a sidewalk constructed and:
  - (a) it has been 3 years from the effective date of this Code for those subdivisions or subdivision phase for which a final plat was approved as of the effective date of this Code; or
  - (b) it has been 3 years from the date the first Certificate of Occupancy was issued in the subdivision or subdivision phase for those final plats approved after the effective date of this code.
- (6) Should any sidewalk not be completed within the required time period, the city may, after holding a public hearing, proceed with constructing the sidewalk and levy a special assessment against the property owner for the costs thereof.

b. **Commercial, Industrial and all other developments.**

- (1) All required sidewalks shall be installed upon the lot under development prior to the issuance of a certificate of occupancy for any building upon the lot.

c. **Construction Standards**

All sidewalks shall be constructed according to the Kansas City Metro APWA and City of Belton Standard Specifications and Design Criteria.

3. **Sidewalk width**

- a. Sidewalks along any street classified in the Transportation Master Plan as a collector or arterial shall be at least 5 ft. in width.
- b. Sidewalks along any other public street shall be at least 4 ft. in width. Sidewalks along any access drive shall be at least 4 ft. in width
- c. Sidewalks along any access drive shall be at least 4-ft. in width.

**Dedications of Rights-of-Way**

- 1. When a land use permit or building permit is requested on a lot or tract abutting a public street, the Community Development Director must determine that adequate right-of-way exists on that portion of the public street abutting the property. The minimum right-of-way, measured from the centerline of the street of the property line of the lot or tract, will be determined based upon the classification of the abutting street. Classification of the abutting street shall be determined by reference to the Transportation Plan; or, if the classification is not designated on any of such documents, the Director of Public Works shall determine the street classification by reference to existing or planned land uses of abutting properties and the Transportation Plan.
- 2. Once the street classification has been determined, right-of-way requirements shall be calculated in an amount equal to one-half of the total right-of-way requirement established for such street classification in the Transportation Plan. Where the property lies on both sides of the public street, the right-of-way requirement must equal the amount set forth in the plan.
- 3. No land use permit or building permit will be issued for any lot or tract where the abutting right-of-way does not clearly comply with the right-of-way requirements until title for the additional required right-of-way has been conveyed to the City by plat or deed and accepted by the City Council.
- 4. Any requirement for dedication of right-of-way pursuant to this section may be waived by the Community Development Director where the permit being requested does not result in a change or expansion of use of the property or an increase in the square footage of any building.

5. Where development or construction will require easements and right-of-way dedications outside subdivision plat boundaries, no approval of construction plans for developments will be granted until verification of the recording of all easements and right-of-way dedications has been received.

### **Exceptions for Existing Improvements**

1. Where the proposed subdivision is a resubdivision or concerns an area presently having any or all required improvements as previously set out, and where such improvements meet the requirements of this section and are in good condition as determined by the City Council upon its consideration of the opinion of the Director of Public Works, no further provision need be made by the subdivider to duplicate such improvements. However, where such existing improvements do not meet said requirements as determined by the City Council upon its consideration of the opinion of the Director of Public Works, the subdivider shall provide for the repair, correction or replacement of such improvements so that all final improvements will then meet said requirements as determined by the City Council upon its consideration of the opinion of the Director of Public Works.
2. Where the proposed subdivision is a resubdivision or concerns an area presently abutting or continuing any existing public street of less than the minimum required right-of-way width or roadway width, land shall be dedicated so as to provide a minimum street right-of-way width established by this Code or by the policy of the City Council; and the subdivider of such proposed subdivision shall provide an additional roadway pavement meeting the minimum standards set by this Code and the City Council. The City Council shall determine what adjustment to make where the aforesaid widening merges with existing streets which are of smaller width at the boundary of such proposed subdivision. The City Council may reduce the minimum roadway system in the proposed subdivision if the extension of such roadway is already improved at each end of such roadway in the subdivision and the roadway in the proposed subdivision is two blocks or less in length.

### **Street Trees**

Where street trees are provided within a subdivision, they must comply with the requirements of this code.

### **Stormwater Drainage Systems**

1. Storm drainage systems must be designed by a registered professional engineer, approved by the Director of Public Works and installed by the subdivider.
2. Reinforced concrete pipe (RCP) must be installed at street crossings for storm sewers.

### **Sewage Disposal Systems**

1. Sanitary sewers must be designed by a registered professional engineer, approved by the Missouri Department of Natural Resources, approved by the Director of Public Works and installed by the subdivider.
3. The minimum requirement for sewer lines is the installation of eight inch sewer line and service connection to all adjacent lots.

4. Sewage treatment plants and pumping stations, if approved, must be constructed according to the specifications and standards of the Missouri Department of Natural Resources.
5. All new homes shall be connected to a public sanitary sewer system.
  - a. In the R1B district, any new subdivision development not connecting to a public sanitary sewer system shall utilize a common sewage collection and treatment system, with provisions made for future connection to a public sanitary sewer system.
  - b. Existing lots that are a minimum of three acres in size and are not within 300 feet of a public sanitary sewer system may utilize an individual sewage disposal system.
6. Existing residences with an individual sewage disposal system that is properly functioning are not required to connect to a public sanitary sewer system. Should the individual sewage disposal system fail, connection shall be made to a public sanitary sewer system. If no public sanitary sewer system is available within 300 feet of the primary structure, then the individual sewage disposal system may be repaired or replaced.

#### **Water Distribution Systems**

1. Water distribution system, including the number and location of fire hydrants, shall be designed by a registered professional engineer and approved by the Missouri Department of Natural Resources and Director of Public Works and installed by the subdivider.
2. The minimum requirement for water systems is the extension of eight inch water distribution mains and service connections to all adjacent lots according to the City's minimum specifications.

#### **Park Land Dedication**

##### **Purpose**

It is the purpose of this section to:

3. define the obligation of developers to meet the park and open space needs generated by new development;
4. encourage the provision of adequate park and open space in higher density developments through a graduated scale for parkland dedication;
5. encourage the inclusion of neighborhood parks within larger residential developments in an effort to achieve a parkland goal of 100 percent service area coverage of all areas within the City limits of the City of Belton;
6. encourage the development of larger neighborhood and regional parks by encouraging cash payment in lieu of parkland dedication in smaller residential developments. These cash payments will be applied to the acquisition of larger parks serving multiple neighborhoods within the impact area of the proposed development; and
7. require the development of a linkage system throughout the City of Belton.

## Applicability

The provisions of this section apply to all new subdividing and platting activities.

## Community Open Space Network/Trails System

1. Developments planned for land on which a trail segment is identified on the Growth Management Plan Update Open Space Corridor Plan must provide such trail segment. Trail segments with a minimum width of 10 feet shall be constructed at the time of infrastructure improvement and must be constructed to meet or exceed the standards set forth by the MetroGreen Plan adopted by the Mid-America Regional Council. A public access easement 15 feet in width is required over the entire length of the trail segment. The property owners' association established for the development must maintain the trails along with all other common areas in their development.
2. The trail system is considered integral to the parks and recreation system and all developers required to construct a segment of a required trail will be awarded credit against the land dedication requirement. The developer will be awarded credit both for the property acreage within the public access easement and for the cost of the trail improvement. Trail construction cost credits will be determined by the Director of Public Works using AASHTO standard costs for asphalt installation for the year in which the construction takes place.

## Form of Dedication

1. It shall be a condition of preliminary plat and final plat approval of a subdivision, PUD (Planned Unit Developments) or other residential property improvement that each subdivider, developer or owner will be required to make, at the discretion of the Belton Parks and Recreation Board either:
  - a. a land donation;
  - b. cash in lieu of land donation; or
  - c. a combination of both.
2. The method selected will be recommended by the Parks and Recreation Board. The Planning Commission shall review the method selected according to this chapter and Unified Development Code as well as the Growth Management Plan in their regular manner of consideration. The final approval shall be by the City Council prior to acceptance of the preliminary plat of the subdivision. All final plats submitted shall incorporate any park land dedication requirement approved as part of the preliminary plat. This provision applies to the development of all lands in the City of Belton, including all subdivisions, lots, tracts and parcels of land regardless of intended use.

## Formula for Park Land Dedication

1. If dedication of land is selected, the dedication shall be by plat and deed. The amount of dedication required shall correspond to the density of the subdivision and shall be calculated off of the following formula:

$$\begin{aligned} \text{DLR} &= \text{DU} \times \text{D} \times 0.02 \\ \text{DLR} &= \text{Dedicated land requirement} \end{aligned}$$

|      |   |   |
|------|---|---|
| DU   | = | Number of dwelling units  |
| D    | = | Number of people per dwelling unit per most recent U.S. Census figures for Cass County. |
| 0.02 | = | Required acres per person based on 20-acres per 1,000 people                            |

2. The method selected will be recommended by the Parks Board. The Planning Commission shall review the method selected according to this chapter and the Unified Development Ordinance. The final approval shall be by the City Council prior to acceptance of the preliminary plat of the subdivision. All final plats submitted shall incorporate any park land dedication requirement approved as part of the preliminary plat. This provision applies to the development of all lands in the City of Belton, including all subdivisions, lots, tracts and parcels of land regardless of intended use.

### **Suitability Criteria**

All designated open space, parks or recreational facilities must be of suitable size, location, dimension, topography and general character and shall have proper road and/or pedestrian access, as may be appropriate, to be usable open space, as follows:

1. The minimum land area for a dedicated parkland tract shall be five acres. Parkland shall be in a single parcel unless there are physical features, such as a railroad or water, separating the proposed tracts provided that neither tract is smaller than five acres. Two or more tracts may be considered for subdivisions including at least 500 dwelling units, provided that neither tract is smaller than eight acres.
2. Retention areas or detention basins which are required as by the Unified Development Code will not qualify as a public open space.
3. Water (including streams, rivers, ponds and lakes), marsh, floodplains and wetland acreages shall not be used to comply with the land requirement of this section, except as provided for required trail improvements listed in this section.
4. At least 50 percent of the gross area of any active open space required to be dedicated pursuant to this section shall have a natural slope of four percent or less and shall not be located in an existing watercourse, drainage easement or water ponding area. In addition, that portion of the land must have a cover of six inches or more of topsoil suitable for the seeding and cultivation of grass. If land proposed to be dedicated has a natural slope in excess of that required by this subsection, but may be engineered to provide for a slope that meet the requirements imposed therein, the developer may, upon the favorable recommendation of the Parks and Recreation Board, permit such land to be dedicated to satisfy the requirements of this subsection.
5. Open space areas located in spillways where the spillway is greater than 25 percent of the land area shall not be used to meet the requirements of this section. Parkland shall be dedicated by the developer in a condition ready for full service with electrical, water and sewer access at the property line.

6. The layout of the park shall maximize street frontage on a public street. Minimum frontage shall be 200 feet.
7. All land to be dedicated to the City for park purposes shall have the prior approval of the Parks and Recreation Board and shall be shown and marked on the plat as “dedicated to the City of Belton, Missouri, for park purposes”. All land dedicated shall transfer ownership at the time of plat recording.

#### **Privately Dedicated Recreation Space**

The developer may comply with the provisions of this section to furnish land for recreational purposes by privately dedicating recreational open space and/or preserving significant natural, cultural or historic features or landmarks under the following provisions:

1. The developer must provide an area that meets the minimum standards set forth in this section related to size, suitability and location.
2. The developer must provide minimum neighborhood park improvements in a privately dedicated open space tract including, but not limited to:
  - a. Family picnic shelter
  - b. Children’s playground
  - c. Turfed playfields
3. All improvements to privately dedicated open space tracts shall be included in the first phase of infrastructure installation for the development’s first final plat. A public access easement over the entire area is required and must be shown on the final plat of the phase of development which includes the dedicated space.
4. Privately dedicated parkland shall be maintained by the developer or the lot owners in the subdivision under a legal agreement approved by the City as adequate to ensure its continued operation and maintenance.
5. The Parks Board shall recommend credit against the requirements of this section for privately dedicated parkland upon a finding that the dedication would advance the goals of the parks and recreation element of the City’s most recent comprehensive plan and/or would preserve a significant natural, cultural or historic feature or landmark. All requests shall be submitted to the Parks Department two weeks prior to appearance before the Parks Board and shall include the following information:
  - a. **A site plan showing:**
    - (1) scale of the drawing and the boundaries, dimensions and orientation of the site to true north;
    - (2) topography at a minimum two foot contour interval;
    - (3) location and layout of existing physical characteristics (vegetation, natural waterways and drainage ways, rock outcroppings, etc.) indicating any significant features to be removed, improved or preserved;

- (4) location and layout of proposed improvements including landscaping, irrigation system, pathways and trails, play areas and playground equipment, lighting, fencing, structures, etc.;
  - (5) ingress, egress and internal circulation for the site; and
  - (6) relationship of the proposed site and proposed improvements to adjoining property.
- b. An itemized list of the proposed improvements including a description, the quantity and estimated per unit cost figure for the individual improvements.
  - c. A statement of the methods and/or provision for ownership, maintenance and use of the site and proposed improvements.
  - d. Any materials and/or information determined by the Parks Department to be necessary or appropriate for Parks Board review.

**Cash in Lieu of Land Dedication**

**1. Formula for Cash in Lieu of Land**

The following formula shall be used to determine the minimum cash in-lieu requirement:

- CLL** = **DLR x APPA**
- DLR** = Dedicated land requirement (subsection (H) above)
- CLL** = Cash in lieu of land
- APPA** = Actual purchase price per acre

- a. The greater of \$10,000.00 or the actual purchase price of the amount of land to be donated shall be paid as the fee in lieu of actual donation. The actual purchase price of the property shall be reported to the City at the time of filing application for each final plat. Such reporting is required on a notarized disclosure form provided by the City.
- b. If the City disputes such report of purchase price, the City may request information from the title company or bank listed on the disclosure form to establish conclusive evidence of the purchase price for the property. Failure to provide correct information on the disclosure form constitutes fraud.

**2. Formula for Partial Land Donation**

When a portion of land dedication requirement is accepted, the remaining cash fee will be calculated and credited as follows:

- a. **(Dedicated land requirement minus number of acres accepted) times actual purchase price per acre; or**  
**CLL = (DLR - ALA) x APPA**  
 ALA = Accepted land acreage  
 APPA = Actual purchase price per acre

**Cash in Lieu Payment**

The cash in lieu payment is due to the City at the time of recording of each final plat unless the developer has not purchased the property before plat recording. In the event that the property has not been purchased before plat recording, then the fee-in-lieu shall be paid in full after closing on the property and before any building permits are issued.

## **Park Fee for Commercial and Industrial Development**

1. A park land donation fee shall be paid from commercial development and shall be seventeen hundredths cents per square foot of land (approximately \$750.00 per acre).
2. The City of Belton City Council has the authority to waive a part or all of the commercial development park land donation fee at their discretion.

## **Subdivision of Park and Open Space Prohibited**

Land designated as open space shall be maintained as open space and may not be separately sold, subdivided or developed except to the City, an appropriate public agency or a non-profit entity if there is a public or non-profit agency willing to accept the dedication and financially capable of maintaining such open space.

## **Certain Activity Prohibited**

Following dedication of lands as provided herein, no person shall remove trees, vegetation or topsoil from the lands, and the lands shall not be used for the purpose of stockpiling of earth or construction material or disposal of construction debris without the written consent of the Department of Parks and Recreation.

## **Platting Requirements**

All land to be dedicated to the City for park purposes shall have the prior approval of the Parks and Recreation Board and shall be shown and marked on the plat as "dedicated to the City of Belton, Missouri, for park purposes". All land dedicated shall transfer ownership at the time of plat recording.

## **Subdivision Amenities**

- A. Whenever the proposed subdivision includes any private amenities such as a swimming pool, clubhouse, playground, shelter, tennis court, playfield or similar amenity, the location of said amenity(s) shall be clearly identified on the preliminary and final plat.
- B. If the subdivision is to be constructed in phases, a schedule of when each amenity will be constructed or installed shall be provided with the preliminary plat. The schedule shall then be included in a memorandum of understanding prepared for adoption with the preliminary plat.
- C. Each specific amenity identified on the preliminary plat shall be included in the development agreement for the final plat that includes the land area upon which the amenity is installed or constructed. The amenity(s) shall be constructed with the public improvements for that final plat. No building permit will be issued in the final plat for which the amenity is scheduled until the amenity(s) are completed.
- D. At the time of submittal of a final plat application that includes an amenity(s), the developer may request an extension of time to complete the amenity(s). The developer shall be responsible to notify all existing residents and property owners in the subdivision of the request and a public hearing shall be scheduled before the City Council at the time the final plat is to be considered. City Council may approve the request as part of the final plat consideration.

COMMISSION OPTIONS:

1. Discuss and accept the proposed Unified Development Code, specifically, signs, subdivision design and regulations and performance standards.
2. Continue to the next regularly scheduled meeting for further discussion.