

Introduced by: City Manager Nathan Mai-Lombardo

**AN ORDINANCE FOR THE CITY OF BERKELEY, MISSOURI, AMENDING
SECTION 405 OF THE SUBDIVISION CODE**

WHEREAS, The City of Berkeley, Missouri seeks to have clear subdivision regulations; and,

WHEREAS, the current definition of subdivisions does not explicitly include lot consolidation;
and,

WHEREAS, lot consolidation is a standard component of subdivision regulations.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERKELEY,
MISSOURI, AS FOLLOWS:**

Section 1. Section 405.020; Definitions, of Article I of Chapter 405 of the City Code is Amended
to read:

SUBDIVISION

1. A division ***or consolidation*** of land into lots, tracts, sites or parcels, for the purpose
of transfer of ownership, leasing, or building development.
2. The dedication or establishment of a road, highway, street, alley, pedestrian or
public way, or public easement.
3. The Resubdivision of land previously divided or platted into tracts, lots, sites, or
parcels.
4. All land or buildings hereafter converted into or to be utilized as condominiums.

SUBDIVISION, MINOR

The division ***or consolidation of not more than*** ~~of land into not more than~~ four
buildable (4) lots shall be classified as a minor subdivision provided:

1. The proposed subdivision of land does not include an improvement within a street
right-of-way, other than concrete sidewalks.
2. The proposed subdivision of land does not include a provision for a public area or
public facility.
3. The proposed subdivision of land does not adversely affect the development of the
parcel proposed for subdivision or adjoining property.
4. The proposed subdivision of land is not in conflict with any provision of the Berkeley
Zoning Code in Chapter 400 of this Code or these subdivision regulations.

Section 2. Section 405.030; **In General**, of Article II of Chapter 405 of the City Code is Amended to read:

Each subdivider of land shall confer with the Director of Public Works or his/her designated representative before preparing the sketch plans or preliminary plat in order to become thoroughly familiar with the comprehensive City Plan and with regulations of the City affecting the territory in which the proposed subdivision lies before presenting the proposed subdivision or Resubdivision to the Mayor and Council. After review, the Mayor and Council shall refer the subdivision or resubdivision to the Plan Commission for review and recommendation.

Section 3. Any ordinance which conflicts with this ordinance is hereby repealed.

Section 4. This Ordinance shall be in full force and effect from and after its date of passage.

1st Reading this _____ day of _____ 2023

2nd Reading this _____ day of _____ 2023

3rd Reading, PASSED and APPROVED, this day of 2023

Babatunde Deinbo, Mayor

ATTEST:

Final Roll Call:

Deanna L. Jones, City Clerk

Councilwoman Verges	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Williams	Aye ___	Nay ___	Absent ___	Abstain ___
Councilman Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Anthony	Aye ___	Nay ___	Absent ___	Abstain ___
Councilman Hindeleh	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman-at-Large Crawford-Graham	Aye ___	Nay ___	Absent ___	Abstain ___
Mayor Deinbo	Aye ___	Nay ___	Absent ___	Abstain ___

Approved as to Form:

Donnell Smith, City Attorney



8425 Airport Road Berkeley Missouri 63134-2098 (314) 524-3313

REPORT TO CITY COUNCIL

To: Honorable Mayor of Berkeley and City Council

From: Elliot Liebson, Director of Planning and Development

Through: Nathan Mai-Lombardo, City Manager

Date: November 6, 2023

Subject: Amendments to Subdivision Code.

BACKGROUND

This Ordinance proposes to clarify the regulation of lot consolidations, which are not mentioned at all, and need to be specified. The process for subdivision (or lot consolidation) approval calls for a referral from the Council to the Plan Commission and back, which is equally cumbersome. We recently made the same change for Special Uses.

The City is therefore proposing to make the following amendments to the Subdivision Code:

- Change Section 1 of the definition of a Subdivision to “a division **or consolidation** of land...”
- Change the definition of a minor subdivision to read “the division **or consolidation of** not more than four (4) **buildable** lots of land shall ...”
- Change the General requirements Section of the Subdivision Code to read:

Each subdivider of land shall confer with the Director of Public Works or his/her designated representative before preparing the sketch plans or preliminary plat in order to become thoroughly familiar with the comprehensive City plan and with regulations of the City affecting the territory in which the proposed subdivision lies before presenting ~~the proposed subdivision or resubdivision to the Mayor and Council. After review, the Mayor and Council shall refer the subdivision or resubdivision to the Plan Commission~~ for review and recommendation.

SUPPORTING DOCUMENTS

Bill #4992 amending the Subdivision Code.

RECOMMENDED CITY COUNCIL ACTION

Approval of Bill #4992 amending Chapter 405 (Subdivision Regulations).