BILL NO.: **4992** **ORDINANCE NO.:** **4825**

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 6th day of November 2023

2nd Reading this 6th day of November 2023

3rd Reading, PASSED and APPROVED, this **20th day of November 2023**

Babatunde Deinbo, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Approved as to Form:
Donnell Smith, City Attorney

Final Roll Call:

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